

KANSAS.

Orley C. Billings to be postmaster at Marion, in the county of Marion and State of Kansas.

Richard L. Musson to be postmaster at Elk City, in the county of Montgomery and State of Kansas.

KENTUCKY.

Eugene W. Veluzat to be postmaster at Horse Cave, in the county of Hart and State of Kentucky.

MASSACHUSETTS.

George H. Hibbard to be postmaster at Boston, in the State of Massachusetts.

MINNESOTA.

Axel R. Anderson to be postmaster at Sparta, in the county of St. Louis and State of Minnesota.

Otho A. Austin to be postmaster at New York Mills, in the county of Ottertail and State of Minnesota.

Oliver B. Boobar to be postmaster at Sauk Center, in the county of Stearns and State of Minnesota.

Frank H. Buelow to be postmaster at Sleepy Eye, in the county of Brown and State of Minnesota.

Henry C. Miller to be postmaster at St. Peter, in the county of Nicollet and State of Minnesota.

S. J. Swanson to be postmaster at Cokato, in the county of Wright and State of Minnesota.

William E. Talboys to be postmaster at Chisholm, in the county of St. Louis and State of Minnesota.

William H. Towle to be postmaster at Annandale, in the county of Wright and State of Minnesota.

MONTANA.

Clarence H. Drake to be postmaster at Chouteau, late Choteau, in the county of Teton and State of Montana.

NEW HAMPSHIRE.

Charles L. Bemis to be postmaster at Marlboro, in the State of New Hampshire.

NEW JERSEY.

Ellison D. Petteys to be postmaster at Keyport, in the county of Monmouth and State of New Jersey.

NORTH DAKOTA.

Henry R. Aslakson to be postmaster at Edmore, in the county of Ramsey and State of North Dakota.

TENNESSEE.

James S. Beasley to be postmaster at Centerville, in the county of Hickman and State of Tennessee.

William B. Farris to be postmaster at Pulaski, in the county of Giles and State of Tennessee.

Lewis J. Garner to be postmaster at Cookeville, in the county of Putnam and State of Tennessee.

Rufus T. Hickman to be postmaster at Lynnville, in the county of Giles and State of Tennessee.

Lorenzo H. Lasater to be postmaster at Athens, in the county of McMinn and State of Tennessee.

Thomas J. Littleton to be postmaster at Estill Springs, in the county of Franklin and State of Tennessee.

VERMONT.

Albert H. Cheney to be postmaster at Stowe, in the county of Lamolle and State of Vermont.

Henry E. Spencer to be postmaster at Proctor, in the county of Rutland and State of Vermont.

SENATE.

TUESDAY, November 24, 1903.

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

ANNIVERSARY CELEBRATION AT NEW ORLEANS.

The PRESIDENT pro tempore. At the request of the senior Senator of Louisiana [Mr. MCENERY], the Chair presents a communication from the governor of that State, which will be read.

The communication was read, and ordered to lie on the table, as follows:

The governor of Louisiana requests the honor of the honorable the President pro tempore and members of the Senate's presence at the celebration of the one hundredth anniversary of the transfer of Louisiana by France to the United States, to be held December 18, 19, and 20, 1903, New Orleans.

JOINT AND CONCURRENT RESOLUTIONS.

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senate to a matter which came up in the Senate on yesterday. A concurrent resolution was under consideration and passed. The Senator from Colorado [Mr. TELLER] asked the Chair if it went to the President and required his signature. The

Chair replied, No. The Chair finds this article in the Constitution of the United States:

Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Within the experience of the Chair in the Senate no concurrent resolution has ever been sent to the President of the United States, nor has he ever signed one. The Chair has endeavored faithfully to find out how concurrent resolutions escape the provision of the Constitution. He has not been able to succeed.

Mr. HALE. Under that construction, then, is there any real difference between a joint resolution and a concurrent resolution; that is, a concurrent resolution can not be more easily put through, and it is subject to all the conditions which surround a joint resolution? Is it different from a joint resolution except in form?

Mr. GALLINGER. It does not have the three readings.

Mr. HALE. That is a matter of form. It must go to the President equally with the joint resolution. I was surprised at the suggestion, and I think the Chair and the Senate were equally surprised, after we had supposed that concurrent resolutions do not have to go to the President.

Mr. PLATT of Connecticut. This question arose by reason of a suggestion I made that it was not necessary to have a joint resolution for the printing of documents. I knew it had not been the practice in all cases, at any rate. As I was speaking I felt some uncertainty about the difference between a joint resolution and a concurrent resolution. I have not looked up the matter, but it occurs to me now that in a former session of the Senate this question was raised when the then Senator from New York, Mr. Hill—

Mr. BERRY. Yes, the Senator from New York, Mr. Hill.

Mr. PLATT of Connecticut. Senator Hill made a most exhaustive and elaborate report upon it. Precisely what the conclusion in that report was I do not know. I do not care to express any opinion this morning until I have looked at the matter a little more fully.

Mr. SPOONER. Mr. President, just a word. I should hate to have it understood that all concurrent resolutions must be presented to the President for his approval. A resolution of the two Houses to adjourn—

Mr. PLATT of Connecticut. That is excluded.

Mr. SPOONER. The Constitution says, "except on a question of adjournment," but suppose it is a resolution which is simply advisory, which simply declares the opinion of the two Houses on some question of public policy. For instance, the House and the Senate might pass a resolution declaring that it was their sole function, in the opinion of the Houses of Congress, to exercise some particular power, like the recognition of belligerency, or that in the opinion of the two Houses of Congress there should be no impairment of the Monroe doctrine—that is, something which is not law, which is not intended to be law, which is intended to be only the expression of an opinion upon the part of the Houses. A resolution of that kind, I should think, would not properly be presented to the President.

The distinction, I take it, is that any resolution or order appropriating money (for that may be done in the form of a resolution as well as in the form of a bill) is to be presented for approval to the President. Any matter which is to become a rule of action in the country, binding upon the Executive Departments—in other words, a law—is to be presented to the President, and that is to be distinguished from resolutions which have passed both Houses simply expressing the opinion of the two Houses upon questions of public policy.

Mr. TELLER. I should like to ask the Senator if the words in the Constitution, "before the same shall take effect," do not indicate that it must be a legislative act?

Mr. SPOONER. Certainly they do; and another thing indicates it:

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary.

That means necessary under the Constitution.

Mr. TELLER. Certainly.

Mr. SPOONER. It means necessary to the enactment of a rule of action, which is a law.

Mr. HALE. The language read does seem to be absolute and all-embracing, but suppose it is a matter relating simply to the two Houses, a concurrent resolution providing for a joint committee to be raised upon a subject. The initiation is a concurrent resolution passed first by one House and then by the other. As some one at my side suggests, we pass a concurrent resolution raising a committee to wait upon the President.

Mr. STEWART. A concurrent resolution was passed before the Cuban war asking the President to accord belligerent rights to Cuba.

Mr. HALE. The rule ought to be changed, I suggest to the chairman of the Committee on Rules, so that it may be seen that there is some line of delineation between a concurrent resolution and a joint resolution, and that subjects-matter may be embraced in one that need not be in the other.

Mr. SPOONER. Suppose the two Houses should pass a concurrent resolution requesting some action of the President.

Mr. HALE. Precisely.

Mr. SPOONER. Such a resolution would not be sent to the President for his approval. Suppose the two Houses passed a resolution for a joint investigating committee.

Mr. HALE. That is what I suggested.

Mr. SPOONER. That is certainly not a matter to be presented to the President for his approval; it is a matter which pertains entirely to the functions of the two Houses.

The Constitution makes no distinction between a concurrent resolution and a joint resolution. The rule has been, I think, that resolutions not to be presented to the President, in other words, not to be law, operative throughout the whole country, take the form of concurrent resolutions, and resolutions intending to appropriate money or to continue appropriations, which is the same thing, in legal effect, take the form of joint resolutions.

I agree entirely with the Senator from Colorado, as at present advised, that the true construction of this clause of the Constitution would limit concurrent resolutions to the action of the two Houses, and that the words "before the same shall take effect shall be approved by the President" do not apply at all to the ordinary concurrent resolutions.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senator from Wisconsin to the very exhaustive report made by Senator Hill, which for the first time has been brought to the attention of the Chair.

Mr. SPOONER. I rise to a parliamentary inquiry. What conclusion did the Senator reach in his report?

The PRESIDENT pro tempore. The Chair has not read it, having just received it.

Mr. TELLER. I have in my hand the report made in 1897 by the Judiciary Committee, which has been mentioned. It is quite an exhaustive report. I do not want to take the time to read it.

Mr. CULLOM. What is the conclusion of it?

Mr. TELLER. I may read the conclusion the committee came to, which will take only a moment. I think the position taken by the Senator from Wisconsin is substantially the same as that taken in this report:

The passage of concurrent resolutions by Congress began immediately upon the organization of the Government. They differ very little from simple resolutions, Senate concurrent resolutions being in form substantially as follows: "Resolved by the Senate (the House of Representatives concurring therein), That, etc." They have not been used (except as hereinbefore stated) for the purposes of enacting legislation, but to express the sense of Congress upon a given subject, to adjourn longer than three days, to make, amend, or suspend joint rules, and to accomplish similar purposes, in which both Houses have a common interest, but with which the President has no concern.

I suppose that means affecting both branches, but not the public interest generally.

They are frequently used in ordering the printing of documents, in paying therefor, and in incurring and paying other expenses where the moneys necessary therefor have previously been appropriated and set apart by law for the uses of the two Houses.

The conclusions that the committee came to are as follows:

CONCLUSIONS AS TO CONCURRENT RESOLUTIONS.

We conclude this branch of the subject by deciding the general question submitted to us, to wit, "whether concurrent resolutions are required to be submitted to the President of the United States," must depend, not upon their mere form, but upon the fact whether they contain matter which is properly to be regarded as legislative in its character and effect. If they do, they must be presented for his approval; otherwise, they need not be. In other words, we hold that the clause in the Constitution which declares that every order, resolution, or vote must be presented to the President, to "which the concurrence of the Senate and House of Representatives may be necessary," refers to the necessity occasioned by the requirement of the other provisions of the Constitution, whereby every exercise of "legislative powers" involves the concurrence of the two Houses; and every resolution not so requiring such concurrent action, to wit, not involving the exercise of legislative powers, need not be presented to the President. In brief, the nature or substance of the resolution, and not its form, controls the question of its disposition.

Mr. TILLMAN obtained the floor.

Mr. SPOONER. The Senator from South Carolina yields to me for a moment. I have looked at the report made by Senator Hill from the Committee on the Judiciary, which was sent down to me by the Presiding Officer. It appears from this report that Congress has, by act passed in 1874, construed the provision of the Constitution in its relation to joint resolutions, bills, and concurrent resolutions, practically making the distinction which has been suggested here and for which the Senator from Colorado yesterday morning contended.

The provisions of chapter 9 of the laws of 1874, incorporated in the Revised Statutes (2d ed., 1878, p. 33) as section 205, which do not seem to have been repealed, imply that there may be resolutions, other than joint resolutions, in which legislation may properly be embraced, requiring the approval of the President. They are as follows:

Whenever a bill, order, resolution, or vote of the Senate and House of

Representatives, having been approved by the President or not having been returned by him with his objections, becomes a law or takes effect, it shall forthwith be received by the Secretary of State from the President. And whenever a bill, order, resolution, or vote is returned by the President with his objections, and on being reconsidered is agreed to be passed, and is approved by two-thirds of both Houses of Congress, and thereby becomes a law or takes effect—

"Thereby becomes a law or takes effect"—

it shall be received by the Secretary of State from the President of the Senate or Speaker of the House of Representatives, in whichever House it shall last have been so approved, and he shall carefully preserve the originals.

That statute seems to imply that the whole question is determinable by the fact whether the resolution be, without regard to its form, obviously intended by Congress to have the effect of a law binding on the whole country, in which event, of course, it must be presented to the President. I suppose if both Houses passed a resolution concurrent in form appropriating money from the Treasury it would be presented to the President, and having been approved by him it would be efficacious to warrant the payment of the money.

But Senator Hill adds here the sections of the statute prescribing the form of bills and joint resolutions. The statute prescribes no form for concurrent resolutions.

SEC. 7. The enacting clause of all acts of Congress hereafter enacted shall be in the following form: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled."

SEC. 8. The resolving clause of all joint resolutions shall be in the following form: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled."

Without taking time to read from the report, it states as a fact that from the foundation of the Government resolutions concurrent in form, not constituting or intended to constitute legislation, have not been presented to the President. It seems to me that the Chair was not so far wrong as he was disposed this morning to admit. I think it all depends upon the form of the resolution and its purpose.

Mr. TILLMAN. Mr. President, when I rose I had in mind some suggestions similar to those which have just been brought out by the Senator from Colorado and the Senator from Wisconsin. There is one little gleam of additional light which I find here that may clarify this question a little. In Jefferson's Manual, page 98, I find the following:

When the House commands it is by an "order." But fact, principles, and their own opinions and purposes are expressed in the form of resolutions.

What little study I have given to parliamentary law since I have been here and what I have gained in knowledge of that difficult and intricate science by absorption have taught me that we can have a Senate resolution which is binding on the Senate as the expression of opinion or purpose, and the House can have a similar resolution. When the two Houses agree it is a concurrent resolution. But when I tried to do some things here, or to have some things done, by a concurrent resolution, I was informed that it had to be done by a joint resolution; in other words, it had to be an act, and a joint resolution is an act. According to my limited knowledge of affairs here a joint resolution is the same thing as an act, while a concurrent resolution is an expression of opinion or fact, as Mr. Jefferson has stated, and I have never known one since I have been here that required the signature of the President.

Mr. ALLISON. I think the report made by Senator Hill is valuable as respects the delimitations between joint resolutions and concurrent resolutions. The resolution yesterday reported by the Senator from New York [Mr. PLATT], the chairman of the Committee on Printing, was very clearly, I think, in proper form as a concurrent resolution. We make large appropriations every year for public printing for the use of Congress. The printing is done by the Public Printer, and it is paid for by general appropriations made by Congress. So it is very clear to my mind that the resolution passed yesterday was a proper resolution, being a concurrent resolution. Of course the money will be drawn from a regular appropriation made by Congress.

Mr. CULLOM. And which was approved by the President.

Mr. ALLISON. Of course the appropriation bills are approved by the President.

Mr. TELLER. At the time I made the inquiry I did not know what the concurrent resolution proposed to do. I thought the statement that concurrent resolutions are to take effect without the approval of the President was a little broad, and I still think so. I think there are many concurrent resolutions that will require the action of the President, because, as I said before, it depends on what is in the resolution and not what is its form. We can not by adopting the form of a concurrent resolution put in it things that ought to belong either to a statute or a joint resolution which is to all intents and purposes a statute.

The PRESIDENT pro tempore. The Chair simply calls the attention of the Senate to the fact—and is led to do so by the remark made by the Senator from Iowa—that there have been perhaps thirty concurrent resolutions passed at the present session, directing the Secretary of War to cause certain surveys and estimates to be made. Of course, that involves the expenditure of money,

but the Chair presumed that they escape the constitutional requirement for the same reason the printing resolutions escape it. The appropriation has hitherto been made for surveys, and when surveys are ordered the money is taken from that appropriation. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a memorial of Cigar Makers' Local Union No. 62, American Federation of Labor, of Richmond, Ind., remonstrating against the ratification of the Cuban reciprocity treaty; which was ordered to lie on the table.

He also presented a petition of Local Union No. 14, United Mine Workers, of Linton, Ind., and a petition of Local Union No. 2023, United Mine Workers, of Hymera, Ind., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 14, United Mine Workers, of Linton, Ind., and a petition of Local Union No. 2023, United Mine Workers, of Hymera, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the Merchants' Association of Lafayette, Ind., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. QUARLES presented a petition of the Woman's Missionary Society of Marinette and a petition of the Green Lake County Sunday School Convention, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Veteran Post, No. 8, Grand Army of the Republic, Department of Wisconsin, of National Home, Wisconsin, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. BARD presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to encourage American shipbuilding; which was referred to the Committee on Commerce.

He also presented a petition of the California Central Coast Counties Improvement Association, of San Jose, Cal., praying for the establishment of a military post on the Nacimiento Rancho, in the counties of San Luis Obispo and Monterey, in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the State Council, Junior Order of United American Mechanics, of San Francisco, Cal., praying for the enactment of legislation to restrict immigration, by providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of the Chamber of Commerce of Sacramento, Cal., praying for the creation of an additional United States district court in California; which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the purchase of the Calaveras grove of big trees; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made in aid of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair to be held at Portland, Oreg.; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Woman's Missionary Society of the First Presbyterian Church of Redlands, Cal., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. LODGE presented a petition of the municipal council of Ponce, P. R., and a petition of the executive council of Porto Rico, praying for the enactment of legislation providing for the improvement of the harbor areas and navigable water lying in or surrounding the island of Porto Rico; which were referred to the Committee on Pacific Islands and Porto Rico.

Mr. CULLOM presented petitions of the Wednesday, Halcyon, Twentieth Century, and Shakspeare clubs, of Polo; of the Woman's Christian Temperance Union of Polo; of the congregations of the Lutheran, Methodist Episcopal, and Presbyterian churches of Polo, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULBERSON presented a petition of the Woman's Christian Temperance Union of Ennis, Tex., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GIBSON presented petitions of the congregation of the First Presbyterian Church of Great Falls, of the congregation of the Christian Church of Anaconda, of the congregation of the Presbyterian Church of Anaconda, of the congregation of the Baptist Church of Anaconda, of the congregation of the Methodist Episcopal Church of Anaconda, of the Epworth League of Anaconda, of the Woman's Christian Temperance Union of Anaconda, and of sundry citizens of Great Falls and Anaconda, all in the State of Montana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a petition of the Green Lake County Sunday School Convention, of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah, and remonstrating against the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented petitions of the Woman's Christian Temperance Unions of Windsor and Dartford, and of sundry citizens of Wausau, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALDRICH presented petitions of the congregation and Christian Endeavor Society of the Baptist Church of Phenix; of the Woman's Christian Temperance Unions of Providence and Washington; of the congregations of the First Free Baptist, Broadway Baptist, and Second Presbyterian churches of Providence; of the Tabernacle Methodist Episcopal Church, of Providence; of the Anna Gordon Woman's Christian Temperance Union, of Providence, and of the Woman's Christian Temperance Union of East Greenwich, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made in aid of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, to be held at Portland, Oreg., in 1905; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the purchase of the Calaveras grove of big trees; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the California Central Coast Counties' Improvement Association, of San Jose, Cal., praying for the establishment of a military post at the Nacimiento Rancho, in the counties of San Luis Obispo and Monterey, in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation in aid of the American merchant marine; which was referred to the Committee on Commerce.

Mr. PENROSE presented a petition of General Mansfield Post, No. 48, Department of Pennsylvania, Grand Army of the Republic, of Mansfield, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. KEAN presented petitions of the congregation of the First Baptist Church of Woodstown; of the congregation of the First Presbyterian Church of Woodstown; of the congregation of the Union Avenue Methodist Episcopal Church, of South Woodstown; of the congregation of the Westminster Presbyterian Church, of Bloomfield; of the Woman's Guild of the First Presbyterian Church of Elizabeth; of the congregation of the Asbury Methodist Episcopal Church, of Woodstown; and of the Home Missionary Society of the Presbyterian Church of Woodstown, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BALL presented a petition of the Woman's Christian Temperance Union of Newark, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of the Woman's Christian Temperance Union of Washington, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of sundry citizens of Cambridge, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

REPORT ON CEMENT RESOURCES.

Mr. MORGAN. I present a paper entitled "A report on the cement resources of Alabama," sent to me by the Director of the Geological Survey of the United States, evidently with the expectation that I would lay it before the Senate and ask that it be printed.

I wish to say that it is a very important paper, prepared at the Geological Survey after very careful examinations, and also by the geological survey of the State of Alabama. It relates to a matter that is presently of immense importance to the United States.

Ten years ago Prof. Eugene A. Smith, of the University of Alabama, a very eminent geologist, made a discovery of the fact that bordering on what we call the "black belt," which extends, I believe, from Illinois down into southwest Georgia—on each border of it—there are immense chalk belts which correspond precisely in their origin and in their qualities with the chalks that we see at Dover Cliffs and across the Channel clear down to Paris and under Paris, out of which there has been manufactured for ages what is called "Portland cement," a cement which is named after an island that belongs to Great Britain and which is not far from Portsmouth.

The many millions of dollars we have spent for that cement and the great amount of industry we have displayed in making cement out of the hard blue and other colored limestones of our country make this a matter of much importance. In order to supply ourselves with cement, which is now entering into all kinds of structures, particularly into the very large and very tall houses, one of them, I believe, 14 stories high, now going up in Cincinnati, a monument to the genius of this age, our workers in this line of business have so far developed this production that we now make more than 18,000,000 barrels of cement a year, which are sold on an average for at least \$1.75 a barrel. In addition to that, the demands have increased within a year for the importation of this necessary article from 200,000 barrels to 800,000 barrels, showing that the demand for it is very great.

As soon as I had discovered that an enterprising company, formed of gentlemen in England, had come to my State and had established a cement factory at Demopolis, on the Tombigbee River, in which they have expended a million dollars, and were producing with three rotary furnaces 250 barrels each per day and selling it, as we say, "like hot cakes," and that in southwest Georgia other enterprising gentlemen had put up a large establishment, which was turning out quantities of this valuable product, I devoted a good deal of my past vacation to having this matter looked up, and, with the kind assistance of Mr. Charles D. Walcott, Director of the Geological Survey, and of the University of Alabama, assisted also by the legislature of Alabama, there have been developed the geological and chemical qualities of this range of materials, extending over an area more than 100 miles in length. The beds on either side of what we call the "black belt," or the cretaceous formation, average 5 miles wide and not less than a thousand feet deep. They are almost absolutely continuous, and throughout they are very valuable.

Of course, my attention was drawn to the subject with reference to the great demand which will exist for this cement in an isthmian canal, whether built at Panama or at Nicaragua, and the great saving which would be made to the country by its development. Its development is entirely a private matter, and is being entered upon with extreme activity by many men. It is proper that we should inform those men of the particular chemical analysis of the cements at various places along that belt.

I would be very proud, sir, if I had the opportunity of presenting this as my last report from the Committee on Inter-oceanic Canals; but the members of that committee were absent this morning, and having received it only this morning I could not ask their concurrence. I therefore present it on my own account, and I ask that it may be printed as a document.

Mr. ALLISON. It is a very interesting statement, and a very important one, which has been made by the Senator from Alabama. I understand that there are many places in the United States where this character of cement can be produced—in South Dakota, in Michigan, in Pennsylvania, and in New Jersey.

Mr. MORGAN. There are many places. I have just observed that we are now making in our own factories more than 18,000,000 barrels a year.

Mr. ALLISON. I think this is very important information. I am glad the Senator has introduced it.

The PRESIDENT pro tempore. The Senator from Alabama asks that the paper presented by him be printed as a document. Is there any objection? The Chair hears none, and it is so ordered.

REPORT OF A COMMITTEE.

Mr. McLAURIN, from the Committee on Public Lands, to whom was referred the bill (S. 1344) to quiet certain land titles in the State of Mississippi, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. ALDRICH introduced a bill (S. 1700) granting a pension to Maria B. Wheaton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 1701) for the relief of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 1702) to correct the military record of James H. Shannon; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TALIAFERRO introduced a bill (S. 1703) for the relief of Mariah L. Trowell, administratrix of Benjamin F. Trowell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON introduced a bill (S. 1704) granting an increase of pension to Lucretia Ritchhart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 1705) granting a pension to Esther G. Wharton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1706) for the relief of Joshua Sherwood and Elizabeth Gray;

A bill (S. 1707) to compensate H. C. Phoebus for the demolition and removal of his property from the Government reservation at Old Point, Virginia;

A bill (S. 1708) to compensate Caleb C. Willard, surviving partner of the firm of Segar & Willard, for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Virginia, in the year 1862;

A bill (S. 1709) for the relief of the trustees of the Methodist Episcopal Church South, of Fox Hill, Va.;

A bill (S. 1710) for the relief of the trustees of Braddock Street Methodist Episcopal Church, of Winchester, Va.;

A bill (S. 1711) for the relief of the trustees of the Centenary Reformed Church, of Winchester, Va.; and

A bill (S. 1712) for the relief of the Presbyterian Church of Woodstock, Shenandoah County, Va.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1713) for the relief of Samuel Showalter;

A bill (S. 1714) to correct the military record of William E. Russell; and

A bill (S. 1715) to correct the military record of Levi Sheetz.

Mr. PENROSE introduced a bill (S. 1716) granting pensions to soldiers and sailors confined in so-called Confederate prisons; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1717) granting an increase of pension to Christian H. Goebel; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 1718) to compensate the Old Point Comfort Improvement Company for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1719) for the relief of Priscilla J. Shipman, administratrix of the estate of John J. Shipman, deceased, for work done and materials furnished to the District of Columbia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1720) granting an increase of pension to William Green; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1721) granting a pension to Fred Sturm;

A bill (S. 1722) granting an increase of pension to Henry Hale;

A bill (S. 1723) granting an increase of pension to John F. Wildman;

A bill (S. 1724) granting an increase of pension to Sarah F. McCune;

A bill (S. 1725) restoring a pension to James Hampton;

A bill (S. 1726) granting an increase of pension to Silas C. Jewell;

A bill (S. 1727) granting an increase of pension to Louis Cook;

A bill (S. 1728) granting a pension to J. M. Baxter;

A bill (S. 1729) granting an increase of pension to Simeon Shirrell;

A bill (S. 1730) granting an increase of pension to John A. J. White;

A bill (S. 1731) granting a pension to Penelope Tousley;

A bill (S. 1732) granting a pension to Joseph B. Voris (with an accompanying paper); and

A bill (S. 1733) granting an increase of pension to William Stall (with accompanying papers).

Mr. PLATT of Connecticut introduced a bill (S. 1734) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1735) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR introduced a bill (S. 1736) to provide a mortuary chapel at the Arlington National Cemetery; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCOMAS introduced a bill (S. 1737) granting a pension to Charles M. Snyder; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1738) for the relief of Jose J. Valdivia; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS. I also reintroduce a bill to correct an error in the print.

The bill (S. 1739) making an appropriation for the improvement of the Patapsco River and channel to Baltimore, Md., was read twice by its title, and referred to the Committee on Commerce.

Mr. McCOMAS introduced a bill (S. 1740) to appoint Daniel Clarke, of Maryland, a captain of cavalry in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STEWART introduced a bill (S. 1741) for the relief of the county of White Pine, State of Nevada; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1742) for the relief of John L. Smithmeyer and Paul J. Pelz; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1743) for the relief of Riley Montrey; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 1744) for the relief of Mary C. Jackson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1745) for the relief of the estate of William B. Waldron, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 1746) for the relief of the legal heirs of Celestine Sara, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLLIVER introduced a bill (S. 1747) to recognize the military services of George R. Burnett, late first lieutenant, Ninth United States Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1748) to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1749) to provide relief for such employees in United States navy-yards as may be disabled by accident while in the performance of duty, and, in the event of fatal casualties, for the relief of surviving dependents; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1750) to provide an American register for the British ship *Pyrenees*; which was read twice by its title, and referred to the Committee on Commerce.

Mr. NELSON introduced a bill (S. 1751) granting an increase of pension to R. F. Catterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 1752) for the relief of the estate of Richard Lawson; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 1753) for the relief of Pay Clerk Charles Blake, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1754) for the extension of Eighth street northeast, otherwise known as Railroad avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1755) granting an increase of pension to Thomas Banks; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1756) granting an increase of pension to Zebedee M. Cushman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BACON introduced a bill (S. 1757) establishing the Atlanta National Military Park; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLAY introduced a bill (S. 1758) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1759) for the improvement of the Chattahoochee River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TILLMAN introduced a bill (S. 1760) granting a pension to Ann A. Devore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1761) granting a pension to Jennette C. Danico;

A bill (S. 1762) granting an increase of pension to Alphonso B. Holland (with an accompanying paper);

A bill (S. 1763) granting a pension to Mary F. Perham (with an accompanying paper); and

A bill (S. 1764) granting an increase of pension to John Shehan (with accompanying papers).

PRESIDENT PIERCE'S MESSAGE ON CENTRAL AMERICAN AFFAIRS.

On motion of Mr. GORMAN, it was

Ordered, That 1,500 copies of the message of the President of the United States of May 15, 1856, including the reports in relation to the condition of affairs in Central America accompanying said message, be printed for the use of the Senate.

NEUTRALITY OF GREAT BRITAIN IN CIVIL WAR.

Mr. CULBERSON. I ask unanimous consent that House Document No. 8, Fifty-eighth Congress, first session, be printed in the CONGRESSIONAL RECORD, and the diplomatic correspondence between the Government of the United States and Great Britain, as it appears on page 31 to page 181, inclusive, in Senate Documents, second session Thirty-seventh Congress, be printed in the CONGRESSIONAL RECORD, and that the latter be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that certain House documents and certain diplomatic correspondence be printed.

Mr. CULLOM. I should be glad if the Senator would indicate to what those documents relate and what will be the probable size of the publication.

Mr. CULBERSON. Mr. President, the correspondence is that between Mr. Seward, Mr. Adams, and Lord John Russell on the subject of neutrality in 1861. It covers the correspondence from page 31 to page 181, inclusive, in the document to which I have referred.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that the two papers presented by him may be printed in the CONGRESSIONAL RECORD and that the diplomatic correspondence to which he refers may be printed as a Senate document.

Mr. CULBERSON. In the RECORD and as a Senate document.

Mr. CULLOM. What is the occasion for desiring the matter printed in the RECORD and as a Senate document also?

Mr. CULBERSON. In order that it may be accessible to the general public. These are very important papers, in my judgment, especially at this time. The documents are not accessible to the general public, and there is a great demand, as I take it, on the part of the general public to see them. They express the opinion of this Government on the subject of neutrality.

Mr. McCOMAS. Will the Senator from Texas state the subject-matter to which his motion refers? We did not hear it in this part of the Chamber.

Mr. CULBERSON. It refers to the question of the neutrality of Great Britain in the war between the States from 1861 to 1865.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. CULLOM. Mr. President, the matter which the Senator desires to have printed in the RECORD would make a good many pages, and it would seem to me if it were printed as a public document that would be all that would be necessary. We are having a great deal of reprinting done now of very old documents, and we ought not to incur any greater expense than is necessary in order to get the use of them. I think the Senator had better be satisfied with having the matter printed as a document, and not ask that it be also printed in the RECORD.

Mr. CULBERSON. Mr. President, in order that it may reach the general public I must insist that the matter be printed in the RECORD also. Of course I understand that an objection on the part of the Senator from Illinois will exclude it at this time, but

it seems to me, under all the circumstances, that the Senator will not interpose an objection.

The PRESIDENT pro tempore. Is there objection?

Mr. CULLOM. I think the Senator ought to be content to have the matter printed as a document; otherwise I shall have to object.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. CULLOM. I object, Mr. President, unless the Senator will yield to the request I have made, that the matter be printed as a document.

The PRESIDENT pro tempore. Objection is made. Does the Senator from Texas make the other request, that the papers be printed as a document?

Mr. CULBERSON. I have asked that they be printed as a document and also in the CONGRESSIONAL RECORD.

Mr. CULLOM. If the Senator will leave off the latter part of his request, I shall have no objection.

The PRESIDENT pro tempore. Objection is made to the printing of the papers in the CONGRESSIONAL RECORD.

Mr. CULBERSON. Then I shall have to accept what I can get at this time.

The PRESIDENT pro tempore. The Senator from Texas asks that the papers referred to by him may be printed as a document. Is there objection? The Chair hears none, and it is so ordered.

Mr. TILLMAN. Of course the Senator from Texas does not need to be reminded that if he wants very badly to get the document printed in the RECORD he can read it, and then the objection of the Senator from Illinois would not hold good.

HEARINGS BEFORE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing shall be paid out of the contingent fund of the Senate.

HEARINGS BEFORE COMMITTEE ON COMMERCE.

Mr. FRYE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer, from time to time as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. If there be no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. CARMACK, as follows:

Resolved, That the Committee on Organization, Conduct, and Expenditures of the Executive Departments of the Senate be, and it is hereby, instructed to make inquiry into the conduct and expenditures of the Post-Office Department, and especially with respect to any charges of corruption, extravagance, and violations of law in the administration of the affairs of the said Department.

Said committee is authorized to send for persons and papers, to administer oaths, to compel attendance and take the testimony of witnesses, and to examine all books, papers, and documents that may be needed for the purpose of such inquiry.

The Postmaster-General shall detail from time to time such officers and employees as may be requested by said committee in its investigations.

Upon the completion of said inquiry, and on or before the 1st day of May, 1904, the committee shall make report to Congress, which report shall embrace the testimony taken in the course of the investigation, the conclusions reached by said committee on the matters examined, and any report said committee may see proper to make, by bill or otherwise, with a view to correcting any abuses, defects, or illegalities that may be found to exist in the administration of the affairs of said Department.

Mr. PENROSE. I ask unanimous consent that that resolution may lie over to-day.

Mr. CARMACK. Mr. President, I have no objection to that in the absence of the Senator from Pennsylvania [Mr. QUAY].

The PRESIDENT pro tempore. The Senator from Pennsylvania [Mr. PENROSE] asks that the resolution lie over.

Mr. CARMACK. Retaining its place.

The PRESIDENT pro tempore. Retaining its place. Is there objection?

Mr. ELKINS. I object.

The PRESIDENT pro tempore. The Senator from West Virginia objects to the resolution lying over, and the question is on agreeing to it.

Mr. PENROSE. Then I move the reference of the resolution to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

COMMITTEES OF THE SENATE.

The PRESIDENT pro tempore. The morning business is concluded. The Chair lays before the Senate the resolution yesterday submitted by the Senator from Maine [Mr. HALE] for the appointment of the committees of the Senate.

Mr. MONEY. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Mississippi will state his parliamentary inquiry.

Mr. MONEY. I should like to know what has become of the Newlands resolution?

The PRESIDENT pro tempore. It is in the air, under the motion of the Senator from Maine [Mr. HALE] to reconsider the vote by which it was referred to the Committee on Relations with Cuba.

Mr. LODGE. It was agreed that that should come up as soon as the resolution for the appointment of committees was disposed of.

The PRESIDENT pro tempore. The Chair so understands. The Senator from Alabama [Mr. MORGAN] is entitled to the floor on the pending resolution for the appointment of committees.

Mr. MORGAN. Mr. President, when I yielded the floor yesterday, on the kind suggestion of the honorable Senator from Colorado [Mr. TELLER] that he feared that I was weary, I was glad to have a respite from the discussion of a subject that is rife with the anxieties and distress of our people. They are sorely vexed and tired of the intrigues of the Panama Canal Company, old and new, that the mandate of the law has been so far powerless to control or check.

The spirit of lawless adventure in the attempted use of our free, just, and wholesome Government and of our trusting and honest people has involved us and threatened the nation until it almost despairs of the glory of opening the western gateway between the oceans for the commerce of the world and a highway of Christendom "from the rivers unto the ends of the earth."

From the beginning it has been the proud mission of our Government and people, under a providence that is as peculiar to them as the founding of the Kingdom of the Messiah was to the Seed of Abraham, that we should lift up that western gate between the oceans. But, like them, we have been fought back and retarded in our work by great nations, and by the worst and basest intrigues, and by the most cunning devices of self-seeking and ambitious men, and by the corruptions of vile men whose vocation it is to gather wealth from the necessities of government and to make the noblest aspirations and hopes of the people subsidiary to their frauds and corruptions.

This they accomplish through combinations, obstructions, and schemes of blackmail.

We have encountered all these in our honorable strivings to fulfill this great national duty.

When in our early youth, as a nation, we first discerned this duty, our statesmen, like Clay and Adams, rose up and announced our purpose, in the valiant spirit of the young Republic, and we set about to measure the task and to prepare for its accomplishment with a fervent, generous spirit.

The wily Briton, sleepless in vigilance and wise in forecast, saw that we were preparing to cross the sea with ships, through dry land, and she set herself across our path and held us in check for fifty years. What we suffered in that period is needless now to recount. In the time of waiting we grew so strong that open opposition to us by force became too dangerous to our ancient kinsmen, and Great Britain retired, apparently, to gather the fruits of rich harvests at Suez, which she had captured by stealth, and she even became our friend. She has so fallen in love with us, indeed, that she gives us encouragement in our raid on Colombia, which is contra bonos mores, knowing that Panama is a morass in which our strong limbs will flounder, and we will sink like a mastodon mired in a quicksand.

If she looks at all, it is scarcely with pity upon the hecatombs of laborers that we will sink in that canal route, that is well called "the ditch of death." She will not weep with us when we have found that a blind and reckless enthusiasm has turned to national grief at the sudden rush of the Chagres, when it will sweep away the key of the canal—the dam at Bohio.

We can outlive her pity and move on other routes as we have outlived her opposition, but it will be costly.

France essayed to rid herself of a body of death that she had created to take the honors that belonged to us, but the Panama Canal died on her hands, and France had been so long chained to its cadaver that she is supplicating us to relieve her of its pressure.

De Lesseps had been here and had distributed great wealth among bankers and easy-going officials in high places who learned that the presence of the agents of the Panama Canal Company among us, old or new, was a certain indication of "pay dirt."

These always welcome universal bankruptcy in markets and morals, when they are not caught in the fall, and they surrender

at once and at discretion. The seed planted by De Lesseps, which cost him the recorded decree of a convicted felon, and is a bar sinister on the escutcheon of one of the world's foremost benefactors, still germinates among us, and our bankers and corruptionists, of low and high degree, still dig around the deadly crop in search of the pot of gold. If they find it they are glorious and immune from the stinging arrows of public opinion, and that hope justifies the effort and condones its disgrace.

These hosts are upon us now. McKinley's great policy has fallen beneath their blows after he passed away. It lives in our laws, but have we the vital force and courage to enforce it?

His successor follows this posthumous child of De Lesseps, which bars the way of true American progress and still keeps closed the western gate with wars and rumors of war.

It is to inform the country of the devious methods by which this has so far been accomplished that I will now, with the leave of the Senate, resume my remarks.

THE CREATION OF THE NEW PANAMA CANAL COMPANY.

On June 29, 1894, the liquidator of the old Panama Canal Company filed a petition in the lower court for the department of the Seine to create a New Panama Canal Company to complete the canal with locks. The company was empowered by that court to take subscriptions to its stock, and the liquidator of the old company was authorized to turn over the property of the old company to the new company without compensation, and also to subscribe for stock in the new company, which he did to the amount of 18,000,000 francs, the old company thus becoming a stockholder in the new company to that amount, which was paid in money by him.

The organization of the New Panama Canal Company to be the successor, coadjutor, running mate, and final administrator of the only assets of the old company was, on the part of the French Government, a refuge from the horrors and stench of the public corruption with which the old company had scandalized France in all its departments and its great bankers and cabinet officers. The French Assembly and the Congress of the United States were openly charged in France as being implicated. It is easy to get a slur upon innocent men from an enraged people; but many French officials were justly convicted.

On the part of the honest Frenchmen that new company was a "forlorn hope," sent out to rescue the canal and the reputation of De Lesseps from the fate that had been so thoroughly earned.

On the part of the convicted felons who had brought these dark stains upon the character of a noble people it was an escape from the penitentiary into the prominent activity of completing a lock canal in the hope of earning the applause of the people they had scandalized and robbed by even a pretense of effort to save the reputation of the French people.

They came with false promises and offered them as a sin offering before the French people, as "fruits mete for repentance." They promised the French courts to raise the money to complete the canal and repeated this promise in their company statutes and in solemn written promise to Colombia.

They raised 60,000,000 francs to complete the canal that had already cost the French people 1,329,693,087.75 francs—about \$260,000,000.

They were rich men, very rich, and were well able to have raised the money that the engineers had estimated for the work, which was \$95,000,000, according to the sworn statement of Mr. Chandron, chief engineer of the new company, before a committee of the House January 17, 1899, as follows:

Mr. STEWART. The committee would like to know the amount of money given by the poor people of France into the old company.

Mr. CURTIS. He says it was upward of \$200,000,000.

Mr. STEWART. Do you know the amount contributed by the people of France to De Lesseps and his son?

Mr. CHORON. I do not know anything about it.

Mr. STEWART. Don't you propose to give the shareholders of France, the poor people that gave this money—don't you propose to give them some interest in this matter?

Mr. CURTIS. If you will pardon me, my partner made a statement that covered that.

Mr. STEWART. If there was any surplus, I understood you to say.

Mr. CROMWELL. Surplus income.

Mr. MANN. You say it would take about \$100,000,000 to complete the canal?

Mr. CHORON. \$95,000,000 to \$100,000,000.

Mr. MANN. Have you got the money?

Mr. CHORON. The company has the money, or the promise of getting the money, but I myself am a technical man, an engineer, and have never had anything to do with the financial side of the question, or the political side, or the general administration.

Mr. STEWART. Do you propose to raise this money in France or in the United States?

Mr. CURTIS. I do not think there is any limit as to where the money will be raised. I hope it will come from both countries.

M. Lampré, the secretary of the New Panama Canal Company, and its accredited agent to the United States, swore that the new company had never borrowed money or attempted to do so, and had made no appeal to the public to take its bonds, none having been issued, or to raise money in any way. He also stated that some of the stockholders in the New Panama Canal Company

were prominent and wealthy business men and bankers, who were able to furnish the money out of their private fortunes to complete the canal according to the engineers' estimates of the cost, but not a dollar had been subscribed or paid into the treasury of the company except 90,000,000 francs, as above stated.

THIS MONEY IS DUE TO THE BONDHOLDERS AND STOCKHOLDERS OF THE OLD COMPANY.

Of this sum 7,000,000 francs was subscribed by the administrator of the old company and 18,000,000 francs by the liquidator of the old company in cash. This money was due to the bondholders of the old company and belonged to the stockholders and was charged with that trust.

It was given to the new company to enable them to build a lock canal. It amounted to \$4,400,000 and went into the treasury of the new company as a gift—a "contribution." It comprised one-third of the entire cash subscription to the new company. It is still in that treasury, about that sum now remaining there. After deducting the sum that the new company has expended in work on the canal, which is about \$8,000,000, nearly \$5,000,000 remains.

Of the money paid into that treasury 10,000,000 francs were paid by the convicted felon Eiffel to condone his crimes against the old company, 40 per cent of which we are asked to refund to him out of our payment of \$40,000,000 for all the rights and property of the old and the New Panama Canal companies. They have refused to include any money in their treasury in the property to be turned over to us, and Mr. Eiffel can resort to that fund to get his refund of the remaining 60 per cent of his subscription. This 40 per cent has already been awarded to the new company by a decree of a French court, made in anticipation of the payment of the \$40,000,000 by the United States.

That sum is to be increased by the further payment to the New Panama Canal Company of the value of all the work done on the canal since that company "accepted," as they put it, our offer to pay \$40,000,000 for the canal and its belongings.

What this sum will be no one has stated, but the President has had Captain Black, an engineer officer, at Panama for several months, examining the work as it is being done, with a view to its payment. It will be paid if the agreement with the New Panama Canal Company is ever consummated, unless Congress interposes to prevent it.

Aside from the want of equity and justice to support this new feature in this scheme in paying the New Panama Canal Company for work it was forced to do to keep the concession from Colombia alive, the work has been paid for with money in the treasury of that company, which belonged to the old Panama Canal Company and would belong to the United States, under the contract of purchase, to the amount of \$4,400,000, and the \$2,000,000 condonation money paid in by the felon Eiffel and \$3,285,700 paid in by 60 other perpetrators of fraud on the old company, whose names are not given in the report of the Isthmian Canal Commission because the French authorities refused to disclose them, will be returned to them out of our Treasury if the \$40,000,000 payment is ever made.

THE PANAMA RAILROAD IS PART OF THE SPOIL.

This new company of officials and despoilers of the old company contrived for their security another scheme that would shelter them from loss if the canal was never completed, as they all knew that it never could or would be and was never so intended.

The old company had purchased about nine-tenths of the stock of the Panama Railroad, which was chartered in New York. They paid \$15,000,000 for this stock, being about \$180 per share of the face value of \$100.

This stock was turned over to the new company by the liquidator of the old company as part of its property, with the agreement that if for any reason the Panama Canal should not be completed the railroad stock should remain the property of the new company, at an appraisement to be made by a board of appraisers, to be paid to the liquidator of the old company, but all the other property should revert to the old company in such an event.

This railroad had a very fine earning power. In a recent year, about 1902, the fact has escaped to the public that it earned a net profit of 29 per cent on its stock of \$15,000,000. It had also entered into contracts with the transcontinental railroads from Canada to Mexico by which the people of the Pacific coast were cut off from shipping their commerce over this line, 47 miles long, except at rates to be prescribed by the railroad companies. This infamous extortion cost the people of the Pacific coast enormous sums in the monopoly of transportation and the increase of freight rates over the transcontinental railroads, amounting, in the aggregate, to hundreds of millions of dollars, and this combine existed for about fifteen years. These contracts are printed in the reports of the Committee on Inter-oceanic Canals made to the Senate.

In the use of its income and credit the New Panama Canal Company has established a line of steamers to New York, which it owns and through which it is in competition with the transcontinental railroads, but also competes with all other ocean lines

that use its railroads and shuts them out of the trade which it conducts on the Pacific Ocean by a leased line of steamers. It has also made like contracts with several European steamer lines, giving them preferential rights over American steamers. These contracts are also printed in the above-mentioned reports.

That company, with its immense power, holding its charter from New York, has always been used in hostility to the commerce of the United States.

The ownership of the stock in the Panama Railroad by the New Panama Canal Company gave it virtual control of the entire canal question in Panama, through which it could compel Colombia into submission.

That power is in full play to coerce the infant Republic of Panama into any terms Mr. Cromwell may exact, and Mr. Cromwell, with this Government at his back, will be obeyed, and until the United States gets the consent of that company and of New York it can never control that railroad.

With the control of the Panama Railroad in the hands of the New Panama Canal Company, it could afford to permit the canal concession to lapse, and make up its decision to that effect, unless it could sell out at a profit to the United States. It would make \$250,000 a year from rents of the railroad that never cost it a dollar.

The proposed sale for \$40,000,000 will yield a large profit to the stockholders in the New Panama Canal Company. The only expenditure they have made is in the removal of earth from the Culebra cut and the Emperor cut. While doing this they have allowed the canal from Bohio to the coast to fill up, until in many places it is almost obliterated, and have dredged a channel 3 miles long in the Bay of Panama, leading to a pier that cost near \$1,000,000, to accommodate railroad traffic.

THE EXTENSIONS OF THE WYSE CONCESSIONS WERE PAID FOR WITH THE MONEY OF THE OLD COMPANY.

They have procured extensions of the Wyse concessions, paid for with the money of the old company, to keep in control of the canal route, on which De Lesseps had constructed several houses, some of them palaces, and immense hospitals at a cost of many millions of dollars.

Not a cubic yard of earth had been removed from the canal line by the New Panama Canal Company with the purpose or expectation of completing that work by that company. Another and distinct purpose has directed every operation of that company, which is to sell it to the United States.

It will scarcely be contended that they expected to complete a canal that cost \$260,000,000 of outlay, to complete two-fifths of the ditch, without any other works, with only \$13,000,000 in the treasury of the company, and it can not be claimed that they ever had the purpose to complete it when, being wealthy men, they refused to furnish any additional money to help the company and made no effort to borrow it or to sell additional stock to get the money.

FORTIFIED AGAINST POSSIBLE LOSS.

They had fortified themselves against loss by taking over the Panama Railroad as a gift, and by the 23,780,000 francs of the cash money of the old company, paid into the treasury of the new company, and only waited the opportunity to get rid of the other property for what they could get for it, so as to avoid confiscation by Colombia. This, Mr. President, is a true statement.

While waiting and preparing for this opportunity they sunk great wells and cut tunnels under the Culebra ridge to ascertain the character of the material at or below sea level. It was found to be treacherous, creeping clay beds between strata of rock for half the depth, that were sliding into the cuts and covering up railroad tracks and trains of cars, while at or near the sea level it was an indurated material too hard for removal with picks and not tenacious enough to be blasted, except at heavy expense. The material for many yards above the bottom of these wells was found to contain sharks' teeth, and when submerged in water it would dissolve like sugar or salt. That is the testimony of engineers, sworn to. I will not quote the statements made under oath. This formation, which was evidently volcanic ashes, compressed by the earth and stone above them, was 8 miles in length.

THEY WERE VERY BUSY.

To protect the walls of the canal from dissolving when the water of the canal assailed them, the Isthmian Canal Commission recommended and estimated for walls of cut stone 40 feet high and 16 miles in length, at a cost above \$8,000,000.

When this development became known, and when the Oregon made its famous voyage around "the Horn," and when the Senate had passed the maritime canal bill a second time, with the vote of all the Senate except six members, there was hurrying to and fro across the Atlantic by the agents and engineers of the New Panama Canal Company to inform Congress of the advantages of the Panama Canal route over the Nicaragua route; and Mr. Cromwell, as chief counsel of the New Panama Canal Company, made his first public debut at the head of the procession.

These men came in great haste at the call of Mr. Cromwell, and appeared, unbidden, before the House committee and demanded a hearing on the 17th day of January, 1899. Civil war was then flagrant in Colombia, which raged until 100,000 people perished and \$5,000,000 was expended, and its immediate provoking cause was the conduct of the agents of the New Panama Canal Company, under the direction of Mr. Cromwell, in the effort to force the Colombian Congress to grant a prolongation of the Wyse concession from 1904 to 1910.

Before that time and after the voyage of the Oregon, and after the Senate had passed the maritime canal bill by a vote of 48 to 6, and after the Congress of Colombia had rejected the contract to extend the Wyse concession from 1904 to 1910, the New Panama Canal Company on the 18th of November, 1898, through its president, M. Bonnardel, sent to the President of the United States a letter, which is printed on page 73 of the CONGRESSIONAL RECORD, March 18, 1903, stating the financial condition of that company and the changes in its canal scheme from a sea-level to a lock canal, as follows:

We do not doubt that you will be interested to learn the essential features of our plans, which have been prepared with so much labor and care and confirmed by four years of continuous study.

1. The old company had already substituted for the proposed sea-level canal a system of locks. This principle, with important modifications and improvements, has been adopted by the new company.

2. The length of the canal from ocean to ocean is 46 miles.

3. The locks will not exceed four on each slope of the divide; all locks will have a rock foundation, and all will have double lock chambers.

4. There is nothing in the physical conditions on the Isthmus to prevent a change from a canal with a system of locks to a sea-level canal should the latter seem desirable in the future.

5. The time of passage from ocean to ocean will be less than a day.

6. The harbors situated at either extremity (Panama and Colon) are not artificial harbors; they are natural harbors, safe and satisfactory, needing but slight improvement. This fact is known to all the world, thanks to commerce, which for almost fifty years has made use of the Panama route (the Panama Railroad).

It would cost only \$8,000,000 on one side and \$3,000,000 on the other—eight millions at Colon and three millions at Panama—to make harbors.

7. Two-fifths of the work on the canal has been actually constructed; the remaining three-fifths is in a fair way of completion. During the last four years three or four thousand workmen, on an average, have been employed in working on the canal.

8. The company's concessions are unquestionable.

And yet Colombia was in civil war then, fighting against the allowance of concessions.

The Republic of Colombia has given to the enterprise its cordial and sincere cooperation.

9. The existence and operation of the railroad, long established on the proposed line of the canal, greatly facilitates its construction.

10. No construction is planned which is not fully justified by practical experience.

Formerly the greatest difficulties were:

(a) The control of the floods at the Chagres River; and

(b) The excavation of the Culebra cut.

The manner in which each of these difficulties is to be surmounted is shown with the greatest detail in the report of the technical commission, which we have the honor to present to you.

And our Isthmian Canal Commission, when they came to look it over, rejected every word of it.

The condition of the new company is equally satisfactory. Its assets, including the work actually done on the canal, the buildings, the machinery, the material on hand, exceeds in value 500,000,000 francs, or \$100,000,000, which valuation has been made by a special commission, of which the former director of the National Academy of Roads and Bridges of France was chairman. The company has no mortgage or bonded indebtedness. The property is free from all incumbrance. The company has no other debts than monthly pay rolls. Its cash reserve is largely in excess of its actual needs.

The undersigned company also invites your attention to the provisions of its concession, particularly articles 5 and 6, which reserves all rights to the Government of the United States secured by the treaty with the Republic of Colombia signed in 1846 and ratified in 1848.

We have the honor to be, your obedient servants,

J. BONNARDEL,
The President of the Board of Directors.

Certified by the secretary of the company.

ED. LAMPRÉ.

This gross misrepresentation, contradicted by all the facts, as they subsequently came to light, was the first step in the effort to inveigle the United States into a scheme that apparently was concealed from Colombia, to buy the Panama Canal.

If Colombia was ignorant of this movement, the fraud of Bonnardel included treachery to her. If she knew what he was doing, Colombia or her President was a party to a scheme to dump a property that she knew could never be of any value upon the United States. If Bonnardel had told Mr. McKinley that his purpose was to sell the Panama Canal to the United States; that his company never had more than \$13,000,000 to complete the canal, two-fifths of which had already cost \$260,000,000, and that the company had no credit to borrow money in France, and that the largest individual stockholder was Eiffel, the convict, who had been pardoned on condition that he would subscribe for the stock, and that Eiffel and many others were robbers of the old company, and that the Congress of Colombia had voted down the proposition to extend the Wyse concession from 1904 to 1910, and that Colombia

plunged into civil war because of this resolution of its Congress, all of which was true, but was then concealed by Bonnardel, the President would have ordered him from his presence. As it was, he got no reply to his officious letter of information. He was distrusted.

THEY VOLUNTEER TESTIMONY TO A COMMITTEE OF THE HOUSE.

The war in Colombia still raged and Cromwell, with his contingent of witnesses brought across the Atlantic to instruct the House committee as to its duty, appeared to testify, and on the same occasion, on the 28th of February, 1899, he wrote a letter to the President in which he eclipsed the arrogance and misrepresentation of Bonnardel, saying:

The New Panama Canal Company has never proposed and does not need any appropriation or financial aid from the Government of the United States in the completion of the canal.

He caught to the idea of the opening of the Panama Canal by the method pursued by the Maritime Canal Company of Nicaragua, which had just received such a strong vote in the Senate, and proposed a plan to the President to take over the Panama Canal Company and its property and naturalize the fraud under a New Jersey corporation. He had taken out such a charter and had amplified its powers to an extent that would cover the enterprise of the most unconscionable promotor then in the world, of which his Panama Canal Company were past masters of the highest and worst distinction.

This letter threw the door wide open to the President in the following suggestions. Cromwell further says in his letter to the President of the United States:

While the New Panama Canal Company does not seek any financial aid from the Government, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific oceans. Therefore, the New Panama Canal Company declares that if, as the result of any such investigation, the Government of the United States adopts the Panama route, the company, if the Government so desires, will reincorporate under the laws of the State of New York (under the laws of which State the Panama Railroad Company has existed for nearly fifty years), or of some other State of the Union, subject to the provisions of its concession, and vest its concessions and property in such corporation. It will also, in said event, accord to the United States such representation in its board of directors, and such opportunity to acquire an interest in its securities as may be permitted by its concessions, which, of course, must be scrupulously observed.

He selected "some other State" than New York, which still had jurisdiction over the Panama Canal.

BAD FAITH OF BONNARDEL AND CROMWELL.

This offer was treason to good faith, so far as Colombia was concerned, and an insult to the United States. Again he was answered with silent contempt by Mr. McKinley.

Colombia was still at war because of his attempt to get another extension of time for the purpose of holding that Republic under the power of the Panama Canal Company, and the public journals began to inquire into the matter. So he resolved to anticipate and explain their accounts of the doings of his company in Colombia and wrote the following letter to Mr. Hay, in which he falsified the record of the proceedings in the Congress of Colombia.

The letter of December 5 is as follows:

Mr. Cromwell to Mr. Hay.

NEW YORK, December 5, 1898.

MY DEAR SIR: I beg leave to confirm the telegram which I sent you at 10.45 this morning, as per inclosure.

Upon my return I learned through Director-General Hutin (who had preceded me to New York) that the measure which had just been acted on by one branch only of the Colombian Congress was a bill to authorize the Executive to negotiate the terms of and to conclude a further prorogation of six years from 1904 for the completion of the canal, under a communication which the company had addressed to the Government, in the form of which I inclose you a translation.

You will note that the company specifically stated to the Government that the prorogation was not a matter of absolute necessity, but was desirable in the interests of commerce and navigation to enable an even deeper cut to be made (and which would reduce the number of locks to four), but which reduction would of course require more time than the plan adopted.

You will note that the bill proposed to confer power upon the Executive, and this happened to arise under extraordinary political conditions in Bogota. As you have probably been advised through official channels, a serious difference has recently been existing between the House of Representatives of Colombia and the President, the House having passed formal resolution declaring the office of President vacant and refusing to recognize the qualification of the President before the supreme court.

We therefore construe the action of the House of Representatives as only a part of the strife between the House and the President, and not a declaration of the policy of the nation or the Congress in respect of the Panama Canal, and as not evidencing hostility to the company itself. We are the more confirmed in this belief because of the uniform consideration and cordiality displayed by the Congress and the Government to the New Panama Canal Company, which we have no doubt their minister at Washington would fully confirm to you.

Our company has not the least apprehension regarding any prorogation of its concessions it may consider necessary in the future.

I have, etc., your obedient servant,

WM. NELSON CROMWELL,
Counsel New Panama Canal Company.

Again he writes:

NEW YORK, December 21, 1898.

MY DEAR SIR: Further to my letter of December 5, 1898, receipt of which was acknowledged by your favor of the 5th instant, I beg leave to say that

we are advised by our counsel at Bogota that the official minutes of the session of the House of Representatives declares that the bill concerning the extension of the New Panama Canal Company has not been acted upon for lack of time. We, however, yesterday received further cable advising us that the Government—

That is, the President—

had granted the extension subject to the approval of the next Congress, and I note from this morning's Herald that similar advices have been received by the press.

It is the opinion of the Government executives and of ourselves that power to give such extension is already located in the Government by the terms of the original concession; but the formality of ratification will be requested in due course, and of its being granted we have not the remotest apprehension.

You will thus see that my confidence in the attitude of Colombia, as indicated in my last note, has been fully and quickly confirmed.

Faithfully, yours,

WM. NELSON CROMWELL,
General Counsel New Panama Canal Company.

There was a case where the Congress had voted the President out of office, had adjourned and gone home; the House had gone home and the Senate, too, and then there was a doctoring of the minutes, so that the bill to ratify that agreement was not acted on for want of time.

Cromwell knew when he wrote these letters that the Colombian Congress had voted to reject that contract for extension and that it declared Sanclemente's office of President vacant, because he declared that he would issue a decree accepting it, and that for this cause the Colombian Congress declared the office of President vacant and adjourned sine die and went home. They never assembled afterwards.

Why did he thus seek to mislead Mr. Hay? The answer is obvious, that unless this Government was deceived there was no possible chance of securing any consideration of the offers of the New Panama Canal Company, to involve the United States in that tangle of fraud and insolence, which had disrupted the civic departments of Colombia and had plunged the people into fratricidal war.

Aside from all evidence extrinsic of his letters and dispatches to Mr. Hay, these prove the guilty knowledge of the fact that the contract for the extension of the Wyse concession from 1904 to 1910 was the immediate and provoking cause of the civil war in Colombia, to which he referred in his letters with cold indifference, as he might refer to an ordinary family disagreement, and boasted that in the end the concession would stand and a later Congress would ratify it. That later Congress has met and adjourned; the proposition to ratify that extension was submitted to them, and they failed to ratify it.

To establish the proposition that the rejection of this contract was the immediate cause of that terrible civil war, I will quote the declaration made by the Liberals when they took up arms to vindicate the rights of Congress and the people in open public war. This is printed from a pamphlet issued in Madrid by Dr. Antonio José Restrepo, who was the authorized agent of the Liberal party in Colombia to conduct diplomatic and financial business with all other countries:

Motives that are both legitimate and noble have prompted the Liberal party of Colombia to take up arms in order to insure to the country freedom to establish a régime that will guarantee the progress and very existence of the Republic, which are to-day threatened by institutions not framed nor sanctioned by the people, and by functionaries who have received their authority through absolute disregard of and violent opposition to the will and opinion of the majority of citizens.

Both nature and tradition have impelled the patriotic people of Colombia to rebel against a condition of things in which they are prevented, de jure as well as de facto, from exercising their legitimate natural rights; in which a great party has been deprived of its political freedom, and in which the pacific development of the country has been arrested. It is only after exhausting all peaceable means that war has been resorted to as a last and extreme measure, a dire measure, but one dictated and imposed by necessity.

The men that are to-day struggling to recover their rights constitute the Liberal party, and form the great majority of the Colombian people. Anyone who compares the condition, both civil and political, of our people under the system of government that existed in this country for nearly half a century with the conditions created by the so-called regeneration system will no longer take that attitude of contemptuous commiseration with which our civil wars are often regarded by people who have already attained that liberty and security after which we are still striving, and he will understand the significance of the present revolutionary movement, which already begins to put an end forever—we hope—to the oppressive government imposed on our unfortunate country.

We, the undersigned, have the honor of being the authorized representatives of the Liberal party, and therefore of the Colombian people; and the following statements and declarations being the faithful expression of the country's will, through the government that will soon be the only recognized government of the Republic, should carry the weight that always attaches to the utterances of a whole nation.

The contracts that the government of Dr. Manuel Antonio Sanclemente may make, without being legally authorized, therefore, neither are nor will be recognized by the revolutionary government.

The President of the Republic, Doctor Sanclemente, is not empowered to make contracts involving national interests without the assent of the legislative body appointed by the people. Whatever is done without that assent is therefore void.

We make these statements merely to prevent all negotiations relating to an extension of time in the contract now in force with the Panama Canal Company. We concur in and sanction the statements that on the same subject has made an authorized representative of the revolution, Dr. Alirio Díaz Guerra, and those that will be made by Dr. Antonio José Restrepo, an agent especially appointed to act for the provisional government in this and other important matters.

The relations between the company and the Republic of Colombia are of a

purely civil nature, and fall, of course, under the jurisdiction and laws of this country. The present Government is not empowered or authorized by any law whatsoever arbitrarily to alter the terms of the contract now in force.

The Liberal party of Colombia considers it an act of criminal resignation to allow the repudiated Government to endanger the future of the country by an imprudent negotiation; and one of the objects of the war in which that party is now engaged is to prevent, or at least oppose, the further sacrifice of the interests of the Republic.

G. VARGAS SANTOS.
FOCION SOTO.

CUCUTA, April 20, 1900.

The French people saw with equal clearness that the undertaking into which the reckless ambition of De Lesseps had drawn them could end in nothing else than the bankruptcy of the enterprise, even if the canal could be built, and they resolved to turn over to the United States this wanton adventure of inflated pride that has carried fraud, death, and bankruptcy in its trail in every step of its progress.

AFTER ALL THIS COLOMBIA RECOGNIZES MR. CROMWELL AS HER DIPLOMATIC ADVISER, AND HE HAS BEEN OFTEN SO RECEIVED BY OUR GOVERNMENT.

In the Hay-Concha treaty of April, 1902, and the Hay-Herran treaty of January 22, 1903, Mr. Cromwell was the counsel for the New Panama Canal Company and the adviser of the Colombian Government, whose fame he impeached with the fulsomness of his eulogies after having done all he could in 1898 to destroy it in his attempted dealings with the Government of the United States. He next appeared before the Senate in the preparation of a large part of the report of the minority of the Committee on Inter-oceanic Canals, in support and vindication of the Hay-Herran treaty, and because Colombia rejected it he is now in Paris and is aiding in the secession of Panama. In this, also, he represents the Panama Canal Company and violates all the obligations of that company toward Colombia, assists in destroying its sovereignty, and makes another war inevitable.

Some are applauding this unseemly treachery, because it gratifies their pride of opinion and love of conquest, forgetting that their hero is only working for his fee. I thus follow Mr. Cromwell's course because he leads the Panama Canal Company, and not because it is agreeable or otherwise useful to speak of a course of treachery, double dealing, and fraud that has been fruitful of corruption, bloodshed, and war between two sister republics of America. When we grasp the hand of this chief counsel of the New Panama Canal Company, in alliance against Colombia, we can not forget his treason to that Government or that his clients are the men who were convicted of felony for robbing the old Panama Canal Company and more than a million of French people, mostly of the middle classes, who were too poor to attract French sympathy or to soften the greed of American speculators.

Neither can we forget the syndicates in America, in the Netherlands, and France that have bought the stocks and bonds from these poor people, as confederate money was accumulated by such speculators after our civil war. These speculators are now the creditors of the old company. Their holdings are listed at the Bourse in Paris, and they rise and fall in value as the discussion of our views as Senators give promise or refusal as to the payment of the \$40,000,000.

PRESIDENT MCKINLEY'S PROTOCOLS—THE CANALS IN CONGRESS.

I will now state historical events that have made records for the history of this country that time will never efface. They impose upon Congress certain specific duties that Congress is honorably bound to perform, that are as clear and as obligatory as our solemn agreements with foreign countries could possibly be. It is these duties that have bound me to the advocacy of the Nicaragua route, which I would perform even if I believed the Panama route was safe for the construction of a canal and free from the bad history of the corruptions of the Panama Canal Company.

The House of Representatives, through its committees, had been very active and diligent in examining the facts and in devising plans of legislation to construct an isthmian canal to accomplish the will of the people of the United States, and to meet their determination to check the monopolistic power of the great transcontinental railroads, which was a fearful incubus on all their industries and commerce. Also their sagacious foresight of the necessity of an isthmian canal to provide for the military and naval defense of the whole country and to bind more firmly the chords of union and harmony, so that no geographical or competitive jealousies should ever enter into the great American family to generate or encourage discontent; was keen, penetrating, and sleepless.

The House was also alert to check the encroachments of the Senate in the use of the treaty-making power to acquire territorial rights in foreign countries. This attitude of the House was known to Mr. McKinley from long observation, and he applauded it. It was also discovered by Mr. Roosevelt, and he bowed to it in a perfunctory way in the Hay-Concha treaty, in the provision that required its ratification by the legislatures of both countries, but he ignored it in the Hay-Herran treaty, following the lead of the Senate in the Spooner Act, which was not debated in the House.

The House never favored, any but the plan of a canal that was

to be exclusively in the ownership of the United States. The Senate bills we sent to the House were not, for that reason, acceptable.

The Senate, as the treaty-making power, was under constraint by the Clayton-Bulwer treaty for more than fifty years, and did not feel free to legislate contrary to even its technical or apparent prohibitions. The measures voted by the Senate were designed to avoid the cramp of that situation, and were not satisfactory to the people or to the House of Representatives, because they did not openly and definitely assure the rights of the United States; but they were all that the Senate could venture to pass, because the vote of that body on a legislative measure relating to a treaty would forestall its action as a part of the treaty-making power, and required the utmost cautious action.

The first Hay-Pauncefote treaty was such an expression of good will and concurrence of opinion between Great Britain and the United States that both Houses felt that the Clayton-Bulwer treaty was virtually abrogated, with the consent of the treaty powers. The House, pending the question of its ratification by the Senate, took it for granted that it would be confirmed, and proceeded to consider the Hepburn bill, which was thoroughly in accord with the will of the people.

THE FIRST HEPBURN BILL.

The bill was simple and direct in its provisions and cut off the incumbrance of a board of commissioners, leaving the construction of the canal under the direct control of the executive department through its military arm. In this feature it was wise, through the lessons of a short but convincing experience, for the expenditures of the Isthmian Canal Commission had already been enormous.

After studies that had engaged the best thought of the House for many years and debate that was full and unobstructed the House passed the first Hepburn bill on the 2d day of May, 1900, by a vote of 224 ayes to 36 nays, and sent it to the Senate.

THE FIRST HAY-PAUNCEFOTE TREATY.

The pendency of the Hay-Pauncefote treaty delayed action in the Senate on the House bill until the expiration of the Fifty-sixth Congress, when the measure fell. The debate in the Senate on the first Hay-Pauncefote treaty was very protracted and resulted finally in amendments to that treaty which Great Britain declined to accept, and that negotiation fell.

THE PRELIMINARY REPORT OF THE ISTHMIAN CANAL COMMISSION.

Pending that debate the Isthmian Canal Commission made a preliminary report to the President, Mr. McKinley, on the 30th of November, 1900, after their surveys and estimates were completed. It is no discredit to any report afterwards made by that Commission to say that this preliminary report was the ablest and most satisfactory report they ever made, and was only second to the report of the Nicaragua Canal Commission, made by three of the same persons who comprised the Isthmian Canal Commission, which, after a thorough comparison of the Panama route with the Nicaragua, gave the preference to the Nicaragua route.

No point of fact touching the subject failed to reach the attention and engage the closest study of every member of that Commission. A final report was only postponed to give time for its more elaborate completion and illustration with many maps that have never been printed. Why, I do not know.

This preliminary report gave to President McKinley the firmest grounds for the support of convictions, already settled in his judgment, that the Nicaragua route was the true one as to freedom from all doubt, certainty of successful accomplishment, and that it afforded superior advantages in health, in the motive power of the trade winds for sailing ships, and in every commercial, military, and naval requirement, and to provide for the political control of our Atlantic and Pacific coasts and for their military protection. It also accorded with the will of the people and their demand for the use of all the power, in the use of steam or the winds, that would cheapen transportation and hold the transcontinental railways in check. They had already, for years, combined with the Panama Railroad Company and certain great steamship companies to extort exorbitant freight rates from the industrial and commercial classes, notably along the Pacific slope, and the whole country demanded an isthmian ship canal as the only means of protection that was possible.

ATTITUDE OF GREAT BRITAIN.

Great Britain had taken her attitude of morally consenting to the practical abrogation of the Clayton-Bulwer treaty, which President McKinley believed would thereafter control her diplomatic action. If not, however, the American people, represented in the House, had declared their purpose in the passage of the Hepburn bill to proceed to vote an appropriation to construct a canal on the Nicaraguan route, and he at once determined to do all in his power, as President, to execute the will of the people, so forcibly expressed in that measure and the decisive vote of the

House of Representatives on its passage. He had served long in the House and knew how close it stood to the will of the people.

THE FORCE OF PROTOCOLS.

At the same time the President was conducting a war in China, without the aid or direction of Congress, that required of him the most profound and conscientious study of his powers, as President, to protect our people and our treaty rights under the authority of the Constitution of the United States. In these laborious and responsible studies he found the necessary powers that authorized him to agree with five European and Asiatic powers in measures that involved sentences of death against Chinese nobles and generals and the fortification of the residence of our minister and their ministers in Peking, the safety and rights of our missionaries and other people there, the reformation of the Chinese tariff laws, the razing of fortifications, the disbandment of armies, and other matters of supreme importance to the people of the United States, including indemnities to those who had suffered, and the heavy fines levied on China and secured to the United States and to other nations by pledges of the revenues of China to be derived from imports.

All these great powers were exerted through agreements between the respective Governments, that were styled "protocols," without the advice or consent of the Senate or of the Congress of the United States.

The power to make such agreements may have been pushed to its limit in these transactions, but no American has questioned them as being ultra vires, and they stand approved as lawful acts of the executive department of the Government.

Acting on these principles, Mr. McKinley, on the next day after the preliminary report of the Isthmian Canal Commission was made, sent for the ministers from Costa Rica and Nicaragua and entered into agreements, in the same terms, with each of those Governments.

PROTOCOLS WITH COSTA RICA AND NICARAGUA.

With the remark that no agreements in any form that are more obligatory in national honor or morals than those "protocols," as they are called, were ever entered into by the President of the United States, or by the President and the Senate, I will quote one of the agreements with Costa Rica and Nicaragua, the other being of the same tenor and effect:

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use, from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction, and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1850, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate at Washington this 1st day of December, 1900.

JOHN HAY. [SEAL.]
J. B. CALVO. [SEAL.]

The agreement with Nicaragua is in the same words.

THE PROTOCOLS AND THE PRESIDENT'S DUTY UNDER THEM.

The language of the first Hay-Pauncefote treaty, which by reference is made a part of these protocols, is as follows:

ARTICLE I.

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present convention, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

The language of the second Hay-Pauncefote treaty, on the same subject, is the same.

BASIC CONCESSIONS IN THE PROTOCOLS.

A comparison of these documents shows that they are identical as to the main proposition, which removes the British objection to the exclusive ownership and control of the canal through Nicaragua and Costa Rica as it was settled in the Clayton-Bulwer treaty, and that in both of the Hay-Pauncefote treaties the exclusive right to construct, own, and control the canal is yielded to the United States. Not only was the prohibitive feature of the Clayton-Bulwer treaty abrogated in both of the Hay-Pauncefote treaties, but it was changed into an affirmative declaration of the exclusive right of the United States to construct, own, and control the canal through the Nicaragua route. With that declara-

tion by Great Britain, even if our Senate had never ratified either of the Hay-Pauncefote treaties, the cloud that had hung above our national sovereignty and had paralyzed that of Costa Rica and Nicaragua for fifty years passed away.

On this basic proposition the McKinley protocols are in perfect agreement with both the Hay-Pauncefote treaties, and in other points there was no disagreement. There is not a substantial difference in the language of the protocols and that of the two Hay-Pauncefote treaties.

A GREAT ACT OF A BRAVE AND HONEST MAN.

President McKinley looked to this final and necessary result, as between the United States and Great Britain, and read it with the eye of faith and the mind of wise intelligence, and he read it truly and at once grasped the control of the situation.

He saw in the vote of the House on the first Hepburn bill, and its firm support by the people, the abrogation of the prohibitive features of the Clayton-Bulwer treaty, and he resolved, with fortitude and patriotic devotion to the honor and welfare of the country, to cut the Gordian knot.

He quietly approached Costa Rica and Nicaragua and asked them to join him in these agreements, and they did so with good faith and cordial and frank promptness.

President McKinley did not at once communicate these agreements to Congress, for the important reasons, that the first Hay-Pauncefote treaty mentioned in the protocols was then pending in the Senate, and he did not think it best or diplomatically proper to announce them to Congress, pending the consideration of the first Hay-Pauncefote treaty in the Senate.

The Committee on Interoceanic Canals, when the honorable chairman who succeeds me on that committee was present and did not dissent—the Committee on Interoceanic Canals afterwards, in their report on the first Hepburn bill that had passed the House and was referred by them to the Senate, considered these agreements with Costa Rica and Nicaragua, and the action of President McKinley in signing them, and reported as follows—that was before the French made any proposition to us:

A comparison of this bill with the above-quoted agreements shows that the granting clauses thereof were copied from the bill, and were necessarily an approval by the President of that action of Congress so far as it had gone, and that it signified in advance his assent to the plan and purpose of acquiring from Nicaragua and Costa Rica the same rights and privileges therein defined by act of Congress.

In this concurrent action by Congress and the President there is involved the whole scope of the pending contention about the Clayton-Bulwer treaty, and the decision of the President, as the constitutional diplomatic representative of the United States, was a declaration of the Executive that the Clayton-Bulwer treaty had ceased to interpose a barrier to the acquisition of "the ownership and control of the proposed canal" and the "control of such portion of the territory now belonging to Costa Rica (and Nicaragua) as may be desirable and necessary on which to construct and protect a canal * * * from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean."

This action of the President was taken while the Hay-Pauncefote treaty was pending in the Senate.

It can not be otherwise considered than as an assertion on his part that the restrictive or prohibitive clauses of the Clayton-Bulwer treaty had ceased to operate so as to limit the sovereign right of the United States to negotiate for the ownership and control of a ship canal through Nicaragua and Costa Rica, and to acquire the same and all rights and privileges incident to the separate and exclusive ownership and control thereof without reference to the Clayton-Bulwer treaty.

When these agreements were entered into a bill had passed the House of Representatives, known as the Hepburn bill, by a vote of 223 to 28, and was then pending in the Senate on the favorable report of the Committee on Interoceanic Canals.

The first two sections of that bill are as follows:

An act (H. R. 2538) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans.

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to acquire from the States of Costa Rica and Nicaragua, for and in behalf of the United States, control of such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary on which to excavate, construct, and protect a canal of such depth and capacity as will be sufficient for the movements of ships of the greatest tonnage and draft now in use from a point near Greytown, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean; and such sum as may be necessary to secure such control is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 2. That when the President has secured full control over the territory in section 1 referred to, he shall direct the Secretary of War to excavate and construct a canal and waterway from a point on the shore of the Caribbean Sea, near Greytown, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean.

THESE PROTOCOLS ARE IN THE HEPBURN BILL AND THE SPOONER BILL.

The measure of authority contemplated in these contracts to be given to the President by Congress, whereupon the contracts were to become irrevocable, is the same as is stated in the Hay-Pauncefote treaty and also in the Hepburn bill. So that the entire agreement would be obligatory on both contracting parties whenever thereafter Congress should enact a law that authorizes the President to acquire from the States of Costa Rica and Nicaragua, for and in behalf of the United States, control over such portion of territory now belonging to them as may be desirable and necessary on which to construct a canal * * * from a point near Greytown, on the Caribbean Sea, via Lake Nicaragua to Brito, on the Pacific Ocean.

The agreements with these States are fully in accord with the Hepburn bill, and go beyond the language of that bill, and are also a full compliance with all the requirements of the Spooner Act of the 28th of June, 1902, as follows:

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections 1 and 2 of this act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation and protection of a canal connecting the Caribbean Sea with the Pacific Ocean, by what is commonly known as the Nicaragua route, shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean.

Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal; and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereunder provided to be acquired by the United States are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

This law covers every point in these protocols, omitting nothing. It could not have more completely ratified them in every particular if they had been copied into the Spooner Act. That was as well known to me and to Mr. HEPBURN as it was to the author of that bill.

This act became the law upon its approval by the President, and from that time no power but that of Congress could repeal it or lawfully avoid its full execution.

The effort to smother this great and courageous act in the phraseology of the Spooner bill, by the Hay-Herran treaty has failed, through the providence of God. Those protocols yet live through the death of the Hay-Herran treaty. The country will not suffer them to die.

ANALYSIS OF THE PROTOCOLS—COSTA RICA AND NICARAGUA.

The President, with motives that were greatly to his credit, did not at the time inform Great Britain that he had virtually settled the attitude of the United States as to the prohibitive features of the Clayton-Bulwer treaty by an act that would necessarily work the final abrogation of that treaty. It was needless and undiplomatic to settle a question by his own act and notify Great Britain of the fact while the Senate was considering a treaty that would settle it by friendly agreement; and secondly, the House had already passed the Hepburn bill, from which the language of the protocols was extracted, and it was pending in the Senate, where it had a powerful support, which could only be defeated by obstructive parliamentary procedure.

He, therefore, retained the protocols in his keeping and did not inform Congress or the Senate of their existence until the Senate, in executive session, called for them. They have never been revoked, dissented from, or objected to in any form by either of the contracting powers. On the other hand, both Nicaragua and Costa Rica have insisted upon them as continuing obligations and still insist upon them, and Congress, in the Spooner law, has authorized the President to acquire from Nicaragua and Costa Rica the same identical rights that are defined in these protocols and in the Hepburn bill.

The precedents in our diplomatic history, on which these protocols rest for their validity and binding effect, are found in the protocols that ruled our action and settled our rights, in connection with those of five other powers, in the Chinese embroglio that was pending at the same time.

Equally conclusive as to the power of the President are the protocols that closed the war with Spain in 1898; the *modus vivendi* as to the northeastern fisheries in 1888; the *modus vivendi* as to the Bering Sea fisheries in 1891; the agreement as to armaments on the Great Lakes in 1817, and, notably, the Sickles agreement with Spain for the settlement of claims of our citizens against Spain, which was fully executed by the payment of large sums of money, as to some of which the United States made imperative demands on Spain, although the agreement was never submitted to the Senate.

Now, was any one of these protocols, which carried such definite, conclusive results, ever submitted to the Senate, except the one in regard to the Lakes, which was in operation some years before a resolution of the Senate was passed ratifying it for fear of future difficulties?

The present agreement with Panama, although not yet an authority, is a precedent which stops the present Administration from denying Mr. McKinley's right, as President, to conclude these agreements with Nicaragua and Costa Rica. As to Panama, an elaborate treaty has been made, and a commission sent to

make it has been sent to Panama to construct a government with power to ratify it.

(1) What are these agreements that were made, signed, sealed, and interchanged with Costa Rica and Nicaragua?

(2) What is their effect, and how far are we bound by them?

They contain two features; the first and basic proposition is that, on the part of Nicaragua and Costa Rica, they concede "forthwith" to the United States all the canal rights and privileges described in the first Hay-Pouncefote treaty, then pending in the Senate, with fixed points for the terminals for the canal and the location of the route in the valley of the San Juan River and through Lake Nicaragua.

This basic agreement corresponds with the provisions of the Hepburn bill, then pending in the Senate, in the very language that defines these rights. As to these basic rights and privileges, that include all we have desired, and all that are included in the Hepburn bill, these protocols operated "forthwith" to secure them to the United States, whenever Congress, not the Senate, should authorize him to acquire them.

WE DEMAND RIGHTS UNDER THESE PROTOCOLS.

If they were valid, even as an agreement for a future conveyance and only as moral obligations, which is a narrow and absurd interpretation, they bind Costa Rica and Nicaragua to abstain from any act in derogation of our rights secured by them. We have so treated them in making complaints to both Governments that they were accused of disposing of lands in the canal belt that was agreed to be included in the further treaty negotiations provided for in the protocols, those negotiations having provided for extensive and valuable grants of lands to the United States in that canal zone.

These complaints were courteously replied to and explained, and our right to make them was not questioned, because our honor was a guaranty of good faith to those Governments that we would not make such complaints unless we intended to be bound by our agreements, which alone could give us the right to make such inquiries.

COSTA RICA AND NICARAGUA HAVE NEVER BEEN RELEASED FROM THESE AGREEMENTS.

We have never released those States from the obligations of those protocols. If they should now attempt to make like agreements with Mexico, or Russia, or Chile, or any European power, we would forbid the bans, or else we would assist a body of secessionists in the departments along the canal route to take the San Juan route away from those States, and our justification would be found in these protocols, if such acts are ever justifiable.

The only feature in these protocols that provides that these Governments shall perform any acts or make any future agreements as to the canal relates to the entering "into negotiations (with the United States) to settle the plan and the agreements, in detail, necessary to accomplish the construction and to provide for the ownership and control of the proposed canal."

This agreement to negotiate does not relate to the rights already conceded that are to take effect "forthwith" on the passage of such law, but to the plan under which those rights should be exercised, so as "to accomplish the construction of the canal."

This part of these protocols, as to the details of the agreements, was to be settled by negotiations that the parties agreed to enter upon, in future, on the basis of the concessions that lie at the foundation of the entire matter, which concessions are "forthwith" operative. The passage of an act authorizing the President to accept these basic concessions "forthwith" confirms them.

There remained to be settled by negotiation the sum to be paid for the concessions, if that was in contemplation of the parties, the establishment of canal zone, its width, and the police and military or judicial control of the same, and many incidental matters that necessarily arise from time to time in such dealings between sovereign states.

THE COURSE OF WISDOM.

In this course Mr. McKinley was wiser than any of his predecessors or his successor in separating between the concession and its incidents and in settling the basic rights by firm agreement as to which absolute certainty was possible, and in leaving the consequential or incidental stipulations to be arranged by future negotiations.

It was impossible to foresee all the consequences and incidents of so great an enterprise that would necessarily require adjustment by agreement between the Governments concerned, and it was excessively dangerous to leave such vast interests to be destroyed or obstructed by objections to the mere details of the general plan of working them out or by future disagreements as to the many details that would require adjustment.

If this wise plan had been adopted in the negotiations with Colombia instead of the treaty framed in large part by a corporation lawyer, an agreement with that Government might have been possible. As it was, the details of that treaty were framed

so as to furnish opportunity to intermeddlers, who swarmed to the feast that was laid before them in the \$60,000,000 we offered really as prize money. Mr. McKinley had another reason for adopting this line of action, which wittingly, if not willingly, his successor followed. He did not believe that the treaty-making power could acquire territorial rights in a foreign state without the express consent of Congress given in the form of a legislative enactment. He would not undertake to act finally under the treaty-making powers conferred on the President and the Senate by the Constitution, and he made these protocols to depend upon an act of Congress as to his rights to acquire territorial rights in Costa Rica and Nicaragua.

The following official correspondence shows that the United States, Costa Rica, and Nicaragua all held to those protocols as subsisting agreements, and that upon the basis of the concessions therein provided they proceeded to negotiate treaties to accomplish the construction of the canal, and the negotiations have never been set aside or abandoned. If these compacts had been made with any rich or powerful nation we would not have had the temerity to ignore the obligations they impose on the United States.

The Committee on Interoceanic Canals instructed its chairman, on the 2d day of March, 1902, to confer with the Secretary of State on certain points mentioned in his letter to ascertain the diplomatic situation as to the Nicaragua Canal. He did so, and the statements of the chairman, approved by Mr. Hay, are as follows:

DEPARTMENT OF STATE,
Washington, March 12, 1902.

HON. JOHN T. MORGAN,
United States Senate.

DEAR SIR: I have received your letter of yesterday's date, and herewith return the copy you sent.

It states with substantial accuracy the purport of the conversation I had the honor to hold with you yesterday.

Yours, respectfully,

JOHN HAY.

WASHINGTON, D. C., March 11, 1902.

HON. JOHN HAY,
Secretary of State.

DEAR SIR: I am instructed by the Committee on Interoceanic Canals to communicate to them the information I should derive from a conference with you on the subject of an isthmian canal; and, having had the honor of such a conference this afternoon, and desiring to make my report with accuracy, I will state the substance of our conversation, or rather its results, that you may examine it and make any corrections you may desire.

1. The negotiations with Costa Rica can be concluded at the convenience of the United States, and without any probable disagreement as to details.

2. The basis of the negotiation with Costa Rica and Nicaragua conforms, substantially, to the canal rights and privileges referred to in the treaty ratified between the United States and Great Britain—that is to say, a perpetual lease of a canal belt, from ocean to ocean, with the right on the part of the United States to construct, own, control, manage, and protect the canal, and to collect and appropriate the tolls and income of the canal for the benefit of the United States in a canal belt of 6 miles in width; this belt to be increased, during the period of construction, to a width of 10 miles, at the option of the United States, during our occupancy, and to be subject to control and protection by the United States.

3. For the lease and rights and privileges granted the United States will pay Costa Rica \$1,000,000 ninety days after the ratification of the treaty, and after that the sum of \$10,000 annually. And the United States will pay Nicaragua \$6,000,000 ninety days after the treaty with that Government is ratified, without additional stipend.

4. I refer only to the points of the negotiation above stated, as being mutually acceptable to the treaty powers, without stating in detail other points of minor importance, as to which there is substantial agreement and a confident expectation of an early conclusion of the terms of a treaty.

5. The United States does not assume any responsibility for any demand of any sort, if any exists, against Costa Rica or Nicaragua, connected with any prior concession of canal rights and privileges, or other privileges of navigation or transportation.

6. The protocols agreed to and signed in December, 1900, by the United States and by Costa Rica and Nicaragua, respectively, remain without alteration or dissent on the part of either of the Governments.

7. The former minister from Colombia, Mr. Silva, has had informal conversations with the Secretary of State on the subject of canal concessions along the Panama route, but no propositions for such concessions have been made by that Government.

Mr. Silva has taken leave of the United States as minister from Colombia, and Mr. Concha has been appointed to succeed him, but has not presented his credentials as minister to the United States.

8. Pending the negotiations with Nicaragua and Costa Rica, the above statements are as complete as the Secretary of State thinks it is proper for him to make them.

JOHN T. MORGAN, Chairman.

This was after the death of Mr. McKinley and while the Isthmian Canal Commission, with closed doors, was meditating on its supplemental report, which gave to the Panama Canal Company the dynamite that has rent in twain the Republic of Colombia. They were not the enemies of Colombia, but they were friends to the Panama Canal Company, whose managers are hostes humani generis when gold is the stake.

Mr. Hay's statement, made to the Committee on Interoceanic Canals, shows that these protocols were recognized as being in full force for more than a year after they were signed, sealed, and exchanged between the three Governments, and that negotiations had proceeded under and in accordance with them until they were concluded as to Nicaragua, and that "the negotiation with Costa Rica can be concluded at the convenience of the United States."

At that time President Roosevelt, ignoring President McKinley's acts and the plighted honor of the Government, was engaged in negotiations with Colombia for the Panama route. Disregarding the votes of the House of Representatives in the Fifty-sixth and Fifty-seventh Congresses, he proceeded to negotiate with Colombia and to conclude the Hay-Concha treaty in aid of the Spooner amendment two months before it was adopted.

COSTA RICA AMENDED HER CONSTITUTION.

Costa Rica proceeded, as soon as her agreement of December 1, 1900, was signed, to amend her constitution, so that no question should remain as to the power of the Government to grant the concessions defined in the agreement with the United States made by Mr. McKinley. It required the vote of the legislature at two successive sessions to amend the constitution of Costa Rica, and the amendment was made in that manner.

The constitution of Nicaragua authorized her concession, and she negotiated a treaty with Mr. Hay, Secretary of State, conforming to her agreement, which has been reported to the Senate and is copied in report No. 1663, Fifty-seventh Congress, first session.

NICARAGUA DEMANDS THE RECOGNITION OF THE PROTOCOLS.

Mr. Corea addressed a note to Mr. Hay when, on the 14th of May, 1902, he proposed the draft of a treaty touching the canal, subject to discussion, in which letter he requested Mr. Hay to "lay his proposals before the proper committees of Congress," saying also in his letter, "I should be pleased if it were accompanied by the protocol on the same subject I had the honor to sign with your excellency on December 1, 1900." Mr. Hay complied with Mr. Corea's request, and the documents were reported to the Senate.

More conclusive evidence could not be had to prove that Costa Rica and Nicaragua adhered to these agreements from the time they were signed, sealed, and delivered to the present time, and that they still "remain without alteration or dissent on the part of either of the Governments," as stated in Mr. Hay's letter to the chairman of the Committee on Interoceanic Canals.

WHY MR. MCKINLEY WANTED THE PROTOCOLS.

If Mr. McKinley had lived he would never have ignored these agreements or the negotiations under them, which, in fact, were concluded, though not signed by the negotiators. If he had lived he would have sent them to the Senate. He died, and a new Richmond came upon the field, and he seemed not to feel the obligations of diplomatic faith when more enticing fields were open for the gratification of an ambitious spirit, then for the first time in sight of the glory of a unique Administration. Mr. McKinley's official and personal honor was at stake in this matter, and he would never have violated it. He had invited the signatures of these Republics to these agreements the next day after the Nicaragua Canal Commission had reported to him in person and in print in favor of the Nicaragua route as against the Panama route. He approved the report and acted upon it at once, that he might at once cut off the intrigues that had beset every effort to open a canal—the Pandora's box that his successor has since opened, which now afflicts the country with every form of apprehension and discontent.

He knew the opposition to the first Hay-Pauncefote treaty among the leaders of his own party in the Senate, and feared that it might prolong the quarrel over the Clayton-Bulwer treaty another half century. He knew also that the Panama Canal Company under De Lesseps had been saturated with fraud and that its president and some of the directors were convicted of felonies, and that the black list included members of the Government and of the Parliament and many of the leading journals of France.

He knew from the report of the Isthmian Canal Commission that the leading stockholders of the New Panama Canal Company had been convicted of these felonies and that France had condoned their offenses in consideration of their agreement to complete the canal; and he knew also that they never intended to build it, but had come to him with seductive whisperings as to the great bargain the United States could make by taking stock in the New Panama Canal Company of America, incorporated under the laws of New Jersey, and by having a part of the board of directors; and he also knew that at the same time they were trying to purchase an extension of time from 1904 to 1910 as a mask to hide their true purpose from Colombia, so that time would be granted to enable them to unload their property on the United States.

He knew that the Congress of Colombia had refused to enter the trap laid for them, and that a bitter civil war ensued which had then lasted for more than two years. He knew much about Mr. Cromwell's intrigues. Mr. McKinley made haste to sign the protocols with Nicaragua and Costa Rica, which would close the controversy as to the Clayton-Bulwer treaty by his act as President, which would locate the canal on the Nicaragua route, cut

off the intrigues of the Panama Canal Company, and would save the country from such anxieties as are now afflicting the people.

He was confident that Congress would give him the authority provided for in the Hepburn bill, and waited patiently for the vote of the Senate. It did not come in the Fifty-sixth Congress, and his chagrin at the disappointment found expression in his last speech, uttered to the people of Buffalo, and he died a victim to overconfidence in his fellow-men.

HIS SUCCESSOR ATTEMPTS TO REVERSE MR. MCKINLEY'S COMPACT.

It was not later than the early days of April, 1902, until his successor reversed this great decision of December, 1900; rode down the agreements McKinley had made with two sister republics, and rushed into the arms of Marroquin, to treat with him and his Jesuit supporters for the purchase of the Panama Canal.

President Roosevelt did not wait to get the advice or consent of Congress. He did not wait to get a vote of the Senate on the Hepburn bill, that passed the House by a vote that disclosed only two in the negative. He had an ambition to serve that put every power and every device into strenuous action. It was that the honor of creating an isthmian canal should belong to his Administration.

To accomplish this he was compelled to neutralize the action taken by Mr. McKinley, by treating it as being of no effect and of no importance. He leaves Nicaragua and Costa Rica with these broken compacts in their hands, wondering if it is the real purpose of the Great Republic to repudiate its agreements with them, where they bind the United States to treat with them and to construct a canal whenever the Congress should authorize the President to accept the grants that Mr. McKinley had asked them to make, and hold them, at the same time, to their part of the agreement and tie their hands so as to prevent them from ever asking aid from their sister republics in America to open any sort of a canal along the San Juan Valley, Lake Nicaragua, from Greytown to Brito.

The American people share in their astonishment, which our children will phrase into bitter denunciation.

HAS THE PRESIDENT ANY EXCUSE FOR DISOBEYING THE SPOONER LAW? CAN HE FIND ANY EXCUSE UNDER THAT LAW, AND UNDER THE COMPACT WITH NICARAGUA AND COSTA RICA, FOR REFUSING TO TREAT WITH THEM?

Has the President any excuse for his failure and refusal to proceed to construct a canal on the Nicaragua route, except some personal preference for the Panama route, or some resentment at the Congress of Colombia, or some hope of reviving a lost expectation, or the gratification of an ambition that the law has deprived him of the power to further indulge?

If he has such an excuse, he should honestly state it to the country. He must find his excuse in that law and not in any other place or in any other fact than those which are stated in the statute which he, as President, approved and was eager and proud to sign. There is no part of that statute and no word or phrase in it that furnishes him the least right or authority to disobey it. He will fail to carry the people with him in a wild and inexcusable raid upon the supreme law of the land, whether his purposes are those of personal ambition or resentment or whether they are to aid in party politics.

The Spooner law reads thus, in the only part of it which could, by any possibility or in any event, sustain or justify him in failing or refusing to do all that is so required of him in the excavation and construction of the Nicaragua Canal:

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections 1 and 2 of this act within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control, by treaty, of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, and protection of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the "Nicaragua route," shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean.

The President has been, and still is, and forever must be "unable to obtain for the United States the control of the necessary territory of the Republic of Colombia for the excavation and construction of a canal at Panama" by treaty with Colombia.

The treaty negotiated by him for that object and ratified by the Senate was rejected by the Congress of Colombia. It is dead beyond the power of resurrection, under the existing law.

The President has burned the bridges between the United States and Colombia on this subject, and has recognized the sovereignty of the State of Panama over the territory described and designated in the Spooner law, and there is no other law by which he is authorized or empowered to make a treaty with Colombia, and there is no law, precedent, or power by which he can create a government in the Department of Panama by his recognition, and without Congressional assistance, that can make and ratify a treaty with the United States. Especially, he can not repeal the Spooner

bill or change its provisions by making it an appendix to or a part of such a treaty, as is evidently his purpose.

He asked Congress for a law to authorize him, as President, to obtain from Colombia the rights, privileges, and property described in that law. Such an authorization was indispensable to the acquirement of such right by him for the United States, and it no longer exists. It has ceased. That part of the statute relating to Colombia has ceased to have any force to accomplish the only object mentioned in it or that is in any way alluded to in any of its provisions, namely, to obtain the rights therein described from Colombia and in the manner therein provided.

He must act in accordance with this law, or he must willfully disobey it. We have no "reasons of state" that are higher than the law or different from it. We have no Presidential prerogatives that are higher than the law of the land.

"Reasons of state" are the claim of imperial, autocratic, and despotic power. In a republic there are no "reasons of state" or any other reasons that can justify or excuse a willful disobedience of the law. Reasons of state are the reasons that despots assert when civic rights become their prey.

A President can not inflict upon his country a greater wrong than by his act, in disobedience of the law. This is a land of laws, and all must obey them. Those who are highest have no prerogatives that enables them to urge "reasons of state" as the higher law.

There is not any conviction or sentiment that is stronger in the minds of our free people than that those who make the laws shall obey them, and those who invoke the support of public opinion must respect it when it is crystallized in the supreme law of the land. They abhor rulers—public servants—who declaim in strenuous demands for decency in the electorate and among the people and join hands with felons in promoting their corrupt schemes for "reasons of state."

Reasons of state, forsooth! Reasons of state!
The people hate the coward tyrant's plea
That binds them to a degrading fate,
While it shelters the tyrant's felony.

This was the outcry of the people when they were in travail, and honest liberty had its birth in a terrible revolution.

Those in high places, who essay to rule in contempt of the law for "reasons of state," will again hear that cry for "liberty regulated by law."

When "reasons of state" combine disobedience of law with ambition or lust for power to force a measure upon an unwilling people, at which justice and "decency" revolts, and the people see that their rulers despise the restraints of law, their souls revolt against arbitrary power, and there is danger that in their wrath they, too, will become lawless.

It was the action of the Isthmian Canal Commission, that I will now proceed to state, that so far has obstructed the great and courageous act of Mr. McKinley in abrogating the Clayton-Bulwer treaty by his compact with Nicaragua and Costa Rica and by his sagacity in selecting the Nicaragua route and moral firmness in closing forever, as he believed, the intrigues of the New Panama Canal Company.

In all this he acted upon their official report made to him on the 30th of November, 1900, and their statements on oath in May, 1900. On this evidence he acted promptly and made the compacts with Nicaragua and Costa Rica the next day.

Had he lived through his term, this canal would be an assured fact and the country would be at peace.

THE ACTION OF THE ISTHMIAN CANAL COMMISSION ON ITS CHANGE OF FRONT ON THE CANAL ROUTES.

The procedure by which this was accomplished is recent history that requires to be examined.

The second Hepburn bill passed the House on January 9, 1902—yeas 308, nays 2—and was reported to the Senate, without amendment, favorably on the 13th day of January, 1902. The House, in the Fifty-sixth and Fifty-seventh Congresses, by majorities that were unprecedented, had refused to continue the Isthmian Canal Commission. Within nine days after the passage of the second Hepburn bill the Isthmian Canal Commission, with one exception, launched into open and aggressive war against all their former reports, and were led by a rear-admiral of the Navy, retired, who is still leading the attack with uncommon vigor.

It is important at this point to inquire as to some of the leading facts in the preliminary report of the Isthmian Canal Commission, made to President McKinley on the 30th of November, 1900. He acted on these facts in making the agreements with Nicaragua and Costa Rica, and none of them were changed or added to in the final report of that commission, made to President Roosevelt on the 30th of November, 1901.

The facts remained unchanged, and the recommendation of the Commission in favor of the Nicaragua route was in the same language in both reports to both Presidents. The facts thus reported to President McKinley were as full in every particular, as

to the engineering work on both canals, as they were in the final report to Mr. Roosevelt. Mr. McKinley accepted them as being true, and if he was misled by them so was all America.

On the examination of the commissioners on the 11th of May, 1900, before the Senate committee, many of the same facts were stated, as on oath, by the same commissioners, and no fact was then stated that contradicted or modified in any way the previous report of the Nicaragua Canal Commission or the subsequent preliminary report of the Isthmian Canal Commission in November, 1900, or its final report in November, 1902.

Admiral Walker, Gen. Peter C. Hains, and Prof. Lewis M. Haupt had been members of the Nicaragua Canal Commission, called the Walker Commission. Their report on the Nicaragua Canal, made to the President on the 9th day of May, 1899, was as complete and able as any report that was ever made on that subject, and was taken by the subsequent Isthmian Canal Commission as a guide to their further inquiries.

The Walker Commission had, of their own motion and without being so required by law or their instructions, examined the Panama Canal on the French surveys. They were there for a week, and looked carefully into all the important features of the work. On this examination Admiral Walker made the following statement as to the Nicaragua route and as to his former report that recommended it:

The CHAIRMAN. As the president of the former commission, consisting of yourself and Professor Haupt and General Hains, you made a report to the President, dated May 9, and that report was based upon an instrumental survey, was it not?

Admiral WALKER. Yes, sir.

The CHAIRMAN. Carefully conducted?

Admiral WALKER. Yes, sir.

The CHAIRMAN. I will ask you as we go along how that instrumental survey corresponded with the previous surveys that had been made by the other engineers?

Admiral WALKER. It was made in a similar manner but more in detail than any examination had been previously made, I should say.

The CHAIRMAN. Did it prove or disprove the accuracy of the former surveys?

Admiral WALKER. To a considerable extent it proved their accuracy.

The CHAIRMAN. Was there any material difference between them?

Admiral WALKER. That depends. We found various things that led us to different conclusions upon various points from previous people.

The CHAIRMAN. But did you find the lines improperly measured or improperly marked?

Admiral WALKER. No, sir; the topographical surveys that had been made by people before us were practically the same as our own. Our work checked up the previous surveys in very good shape, so that I should say that previous surveys were good ones.

The CHAIRMAN. I forget how long you said you remained in Nicaragua on this investigation or examination.

Admiral WALKER. This year?

The CHAIRMAN. Yes.

Admiral WALKER. We landed on the 19th of January and we left on the 27th of February.

The CHAIRMAN. You remained as long as there was any necessity to remain, I suppose, to examine the whole subject?

Admiral WALKER. We remained as long as it was thought necessary for the Commission to remain.

The CHAIRMAN. Did you find any reason to depart from the report of the former Commission on the following subjects? I will state them seriatim:

Under the head of "Feasibility," you say, in the former report:

"Under this division of the subject the Commission would respectfully submit that it has failed to find any competent authority that denies the feasibility of constructing a canal across Nicaragua."

Have you since that time, or did your Commission find any authority that denied the feasibility of the canal?

Admiral WALKER. As far as I know the opinions of the members of this Commission, they have no doubt that it is feasible to build a canal across Nicaragua.

The CHAIRMAN. You say:

"1. There are at this date sufficient precedents for ship canals capable of passing the largest vessels, so that any question of the navigation of such a channel is eliminated."

Are you still of that opinion?

Admiral WALKER. I am still of that opinion.

The CHAIRMAN. You say:

"2. The ability to construct and operate locks of the requisite dimensions is sufficiently established by existing structures on the Manchester and Keil canals, at Davis Island, on the Ohio, and at the St. Marys Canal, Michigan."

I suppose you might add to that the drainage canal of Chicago?

Admiral WALKER. There are no locks on the drainage canal.

The CHAIRMAN. Do you still adhere to that opinion?

Admiral WALKER. Yes, sir; I am still of the same opinion.

The CHAIRMAN. You say:

"3. The possibility of constructing the necessary dams, weirs, sluices, and embankments which shall be sufficiently stable and impermeable to control the water required for navigation, as well as to regulate the floods, is within the resources of the engineering profession and is fully demonstrated by the many hundreds of miles of embankments, levees, and dams, both at home and abroad. There is no reason to doubt the ability to build them out of the native rocks and earth and to give them the required strength and tightness to retain or to discharge the water with safety."

Do you still adhere to that opinion?

Admiral WALKER. Yes, sir.

The CHAIRMAN. You say again:

"4. There is no question as to the adequacy of the supply of water for all purposes at all seasons, nor as to its control in times of flood."

Do you still adhere to that opinion?

Admiral WALKER. I am still of that opinion.

The CHAIRMAN. That is the principal factor in the canal business, is it not?

Admiral WALKER. Those are pretty large factors; yes, sir.

The CHAIRMAN. You say further:

"5. Neither is there any doubt with reference to the ability to secure good supporting ground for the trunk of the canal, nor suitable sites for locks and dams."

Do you still adhere to that view?

Admiral WALKER. I think that they can be found; yes.

The CHAIRMAN. You say:

"6. The harbor question is only a matter of money, and it is believed that good, capacious, and safe artificial harbors can be created at a reasonable cost. In brief, this Commission sees no reason to doubt the entire feasibility of the project, but it realizes the necessity of due care in the preparation of the specifications and in the conduct of the work that the details of construction be properly executed under competent supervision."

Do you adhere to that?

Admiral WALKER. Yes, sir.

General Hains was a member of the former Walker Commission, and he testified as follows:

Statement of Col. Peter C. Hains, member of the Commission.

The CHAIRMAN. General Hains, you were a member of the former Ludlow Commission, were you not?

Colonel HAINS. No, sir; of the Walker Commission.

The CHAIRMAN. And you joined in the report, making a qualification of your estimate of the cost?

Colonel HAINS. Yes, sir.

The CHAIRMAN. You placed it above that of the other two associate Commissioners?

Colonel HAINS. Yes, sir.

The CHAIRMAN. You went out and made an examination of the Nicaragua Canal again, did you, with the Board?

Colonel HAINS. Yes, sir.

The CHAIRMAN. Have you any statement to make showing a change of opinion on your part as to the feasibility and practicability of the Nicaragua route?

Colonel HAINS. No, sir.

The CHAIRMAN. Did you discover any new facts upon your recent examination of that route that indicated that it would be more expensive or less expensive than your former judgment upon the subject?

Colonel HAINS. Yes, sir; it would perhaps be a little more expensive than my estimate, even.

Professor Haupt testified as follows:

Professor HAUPT. I did not accompany the Commission to Nicaragua or Panama.

The CHAIRMAN. So that your personal knowledge on the subject is such as you derived when you went there with the former Walker Commission?

Professor HAUPT. Yes, sir.

The CHAIRMAN. Have you made a study of this subject since you were out on that Commission—a close study of it?

Professor HAUPT. I have, sir, as far as the data were available.

The CHAIRMAN. Have you looked over the reports of the Walker Commission recently?

Professor HAUPT. No, sir; I have not revised them since publication.

The CHAIRMAN. From what you have heard the other engineer say here to-day, and from what you know of your personal examinations of the Nicaragua route, have you changed your opinions as expressed in that report?

Professor HAUPT. I have not, sir.

The CHAIRMAN. You see no reason for changing your opinion?

Professor HAUPT. No, sir.

Professor Burr testified as follows:

The CHAIRMAN. You formed your opinion from a recent visit at Nicaragua as to both routes?

Mr. BURR. As to both routes.

The CHAIRMAN. What is your opinion as to the practicability of building a canal at Nicaragua?

Mr. BURR. I think it is entirely practicable.

Mr. Alfred Noble stated as follows:

Statement of Alfred Noble, member of the Commission.

The CHAIRMAN. Mr. Noble, you are a civil engineer?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. Of how many years experience?

Mr. NOBLE. About thirty.

The CHAIRMAN. You were not a member of the former Walker Commission?

Mr. NOBLE. No, sir.

The CHAIRMAN. You went with the present commission to Nicaragua?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. And you made an examination of the canal route?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. And the country adjacent to it?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. You were on the Ludlow Commission?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. You have been on two commissions, but you were not on the intermediate commission, the Walker Commission?

Mr. NOBLE. No; I was not on the Walker Commission.

The CHAIRMAN. You were on the Ludlow Commission. I think I have a copy of that report here, if you wish to look at it. You recommended the Nicaragua route as being a feasible, practicable route for a ship canal?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. And now, since your examination under the second Walker commission, do you adhere to that opinion, or have you any reason to change it?

Mr. NOBLE. I still think the route is feasible, Senator.

Thus all the engineers on the Isthmian Canal Commission who had been members of former commissions testified, and Mr. McKinley had studied their testimony between May and November of 1900.

The preliminary report made by them on the 30th of November, 1900, was in further support of these statements, and he at once located the canal on the Nicaragua route and entered into agreements with Nicaragua the next day that secured these basic concessions to the United States. To make the matter certain beyond dispute he copied the first section of the Hepburn bill, in substance, in these agreements, and included in them, by specific reference to the first Hay-Pauncefote treaty, the full description of the rights so conceded to the United States.

This was all he could do as President to complete the transaction. The only condition in the agreements was that Congress should authorize him to acquire the rights described in the protocols and in the Hepburn bill.

Thus the matter stood until President Roosevelt, in April, 1902, decided to abandon Mr. McKinley's policy and destroy the rights he had acquired for this country.

The movement was rapid, but it was not supported by any proofs known to the country that would in the least degree discredit the decision of President McKinley. Of course President Roosevelt had the perfect right to differ in opinion from President McKinley, but he has stated no facts that will enable the country to follow him.

In April, 1902, the Hay-Concha treaty was negotiated, and he invited the consent of Congress—not of the Senate, as was therein stipulated—to authorize the President to sign it, after which it was to receive "the legislative approval" of both the contracting powers.

Then came the Spooner bill, which became a law on the 28th of June, 1902.

Under that law the President was authorized to acquire the same rights from Nicaragua and Costa Rica—the same rights that are described and carefully defined in the protocols President McKinley had caused the Secretary of State to sign, seal, and deliver to those States, which was done on the 1st day of December, 1900.

The Hepburn bill contained no provision for continuing the Isthmian Canal Commission or for appointing another commission. Efforts were made to have that bill amended so as to provide for a commission, which failed. Each of the nine commissioners had been paid \$1,000 per month for twenty-eight months—in all, \$252,000—besides their expenses of travel and living, which was a large sum. These expenditures were considered largely redundant and unnecessary and constituted too heavy a burden on the Government. Congress and the country were alarmed by these extravagances, which they did not disclose in their report, and the House of Representatives decided to dispense with commissioners in the further progress of this great and expensive work.

On the 4th of January, 1902, five days after the passage of the second Hepburn bill in the House, M. Bô, as chairman of "the board" of directors of the New Panama Canal Company, sent a cablegram to M. Bœufvé, in Washington, as follows:

PARIS, January 4, 1902—8.53 a. m.

Bœufvé, Washington:

Inform Admiral Walker immediately, and without awaiting Lampré's arrival, that the company declares itself ready to transfer to the Government of the United States, on payment of \$40,000,000, its properties and concessions, estimated at that amount by the Isthmian Canal Commission in its last report, page 103, in conformity with the terms and conditions of the estimates of said report.

Bô, President of the Board.

This was followed by other cable dispatches, as follows:

PARIS, January 9, 1902—4.07 p. m.

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington.

The New Panama Canal Company declares that it is ready to accept for the totality, without exception, of its property and rights on the Isthmus the amount of \$40,000,000, the above offer to remain in force up to March 4, 1903.

Bô, President of the Board.

PARIS, January 11, 1902—4.17 p. m.

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington.

Offer of sale of all our property applies also to all maps and archives in Paris.

Bô, President of the Board.

PARIS, January 14, 1902—9.45 p. m.

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington.

We send by mail letter confirming cable 11th January, and, under registered package, judgment August 2, agreement with liquidator, and three extracts showing powers of board. All these documents are certified to by the United States consulate-general.

Bô, President of the Board.

These were all the papers that were before the Isthmian Canal Commission when it decided to reverse its former decisions and reports in favor of the Nicaragua route for the canal, and to report in favor of the Panama route, on the 18th of January, 1902. They are all the papers that have ever been communicated to Congress with reference to said last report, which was a supplemental report and the last one that was made by the Commission.

No report has ever been made of the conferences with Mr. Edouard Lampré, secretary-general of the New Panama Canal Company. It was a desperate adventure of that Commission to make that supplemental report on the evidence stated by them as the basis of their recommendations to the President, as follows:

The results of these conferences and communications have been considered at a meeting of the Commission called for that purpose.

The first cablegram was dated in Paris on the 4th of January, and it stated that the company was ready to transfer to the United States its property and concessions for \$40,000,000, and that the offer would remain open until the 4th of March, 1903. As it was not clear whether this offer included all the property of the company, further correspondence ensued, and it was made clear

that the proposition was intended to cover the entire property of the company upon the Isthmus of Panama, all the stock of the Panama Railroad Company held for its use and benefit, and the maps, plans, archives, and records in Paris.

A communication and explanatory documents, duly certified, containing a fuller statement than is embraced in the cablegrams, but to the same effect, are on their way to the United States by mail, and copies of them have been deposited with the ambassador of the United States in Paris, who has acknowledged their receipt by cable to the Secretary of State.

The cablegrams received are as follows.

Which cablegrams are, all of them, above copied.

That Commission was appointed by President McKinley under the act of March 3, 1899, the last clause of which is as follows:

SEC. 6. That the President is hereby requested to report to Congress the results of such investigations, together with his recommendations in the premises.

They were required by this statute to ascertain facts and report them to the President. They could give their opinions as to the facts, but not their decisions based on those facts, or their recommendations. It was the President's duty to make recommendations to Congress, which he has not done.

Their offices had expired when they made their final report, dated the 16th of November, 1901. Any act approved by them, as a Commission, after that date was not official. It was merely advisory to the President, but it was unofficial as to Congress. No such act performed by them after that date was authorized by the statute under which the Commission was created.

Prof. Lewis M. Haupt, one of the Commissioners, has published a statement in the North American Review for July, 1902, of his protest against this supplemental report, as follows:

On the question of signing the supplemental report, the writer was confronted by the argument that if a divided opinion was presented to Congress the opposition to an isthmian canal was so influential as to be able to defeat legislation entirely on that ground. Being unwilling to be made the sole cause of obstruction to the building of any canal, even though it might not be the best practicable, he consented to sign the report, with the following statement of his reasons for so doing entered upon the minutes:

"He still believed that the Nicaragua route was the better of the two, but that the scope of the investigation had expanded beyond the mere question as to which route had the superior advantages, in view of the political situation and the great probability, if not certainty, of a divided report being used by the opponents of any canal to defeat legislation. It was a question, therefore, of Panama or nothing, and as he believed firmly in the necessity of an isthmian waterway for the general good, he had concluded that his duty to his country would be best fulfilled by waiving his objections and signing the report, with the understanding that this statement of his reasons be entered upon the minutes."

He also testified to the same effect in the hearings before the Senate Committee on Inter-oceanic Canals on the 10th of February, 1902.

Mr. Morrison, recently deceased, also published two articles in the Engineering News, in which he dissents from the supplemental report of that Commission as to the dam at Bohio, which is the key to the canal at Panama. After condemning Menocal's plan of the riprap and clay dam at Ochoa, Mr. Morrison insists on a clay dam at Bohio, to extend to the depth of about 50 feet below the surface of the Chagres River, superimposed upon beds of gravel, clay, boulders, and logs that the borings show have been washed into the deep geological gulch or V-shaped valley in ancient times, and have filled it up to the present bottom of that river, to depths of 138 feet or more.

The supplemental report of the Isthmian Canal Commission on a matter that the statute did not place within their jurisdiction, in explanation of its sudden change of front, quotes from the former reports a series of facts, without changing or modifying any one of them in the slightest degree. The only new fact stated is that the Panama Canal Company had offered to accept the sum of \$40,000,000 for certain rights and properties named in the cable dispatches I have copied.

To establish conclusively the fact that the difference in the cost of the two canals for construction—namely, \$5,500,000—was the only fact upon which they based the change of their judgment and recommendation from the Nicaragua route to the Panama route, I quote the following:

The advantages of the two canal routes have been restated according to the findings of the former report. There has been no change in the views of the Commission with reference to any of these conclusions then reached, but the new proposition submitted by the New Panama Canal Company makes a reduction of nearly \$70,000,000 in the cost of a canal across the Isthmus of Panama, according to the estimates contained in the former report, and with this reduction a canal can be there constructed for more than \$5,500,000 less than through Nicaragua. The unreasonable sum asked for the property and rights of the New Panama Canal Company when the Commission reached its former conclusion overbalanced the advantages of that route, but now that the estimates by the two routes have been nearly equalized the Commission can form its judgment by weighing the advantages of each and determining which is the more practicable and feasible.

There is, however, one important matter which can not enter into its determination, but which may in the end control the action of the United States. Reference is made to the disposition of the Governments whose territory is necessary for the construction and operation of an isthmian canal. It must be assumed by the Commission that Colombia will exercise the same fairness and liberality if the Panama route is determined upon that have been expected of Nicaragua and Costa Rica should the Nicaragua route be preferred.

After considering the changed conditions that now exist and all the facts and circumstances upon which its present judgment must be based, the Commission is of the opinion that "the most practicable and feasible route"

for an isthmian canal, to be "under the control, management, and ownership of the United States," is that known as the Panama route.

The Commission expresses feebly the hope that Colombia will be as fair and liberal toward the United States in the matter of exactions for the concessions as to price as Costa Rica and Nicaragua had been.

Colombia conformed to this suggestion by a false pretense, stated in the Hay-Concha treaty, that she would take \$7,000,000 for the concessions. This was done because Nicaragua had agreed with Mr. Hay to take \$6,000,000 for her concessions and Costa Rica had agreed to take \$1,000,000 for her concessions, in all \$7,000,000. Colombia, solemnly agreeing to take \$7,000,000, in a treaty entered into in the negotiations, placed her case in that respect upon a footing of perfect equality with that of the other two Republics that there might be no difference as to the cost of the concessions on either route.

This looked like an honest and fair offer in the Hay-Concha treaty, and Congress so considered it in enacting the Spooner bill; but that act was not a week old until Mr. Cromwell appeared on the scene and the pecuniary feature of the case was raised by Colombia to \$10,000,000 cash, \$4,500,000 in land, for which we pay that amount to the Panama Canal Company, included in the \$40,000,000 largesse, and \$1,000,000 which we guarantee will be paid for stock in the Panama Canal, as to which we protest, in the treaty, that we are in no way bound in law or morals to pay.

Colombia, breaking her oath, which is included in every such voluntary agreement, levied blackmail on the United States to the amount of \$7,500,000, and Mr. Hay agreed to pay it under the instructions of the President. Such loyalty to the duty of official subordination, if not agreeable to the Secretary, was perhaps necessary.

Blackmailers must have a fulcrum for the lever of their exactions. In this case it must have been the eagerness of the President to construct a canal that would meet the height of his ambition, which could not be fully gratified by following the plan that Mr. McKinley had settled on the pledged honor of the Government and to the hearty satisfaction of the people, that caused Herran to think that there was more money in sight. This was the fulcrum that enabled Colombia to throw her whole weight on the lever of exactions that violated her honor and all "decency."

Towering ambition never fails to find justification for its zeal in the flattery of those who follow a bold man to find in his favor some coveted honor or emolument. Doubtless such men have encouraged the President in his eagerness for high distinction by whispering in his ear their statements that the Nicaraguan route is impracticable.

Let them come out into open day and state their opinions and the facts on which they are founded. I can not believe that any of the commissioners who have twice reported in favor of the Nicaraguan route, or those who have sworn to their statements, are included among these advisers of the President.

THE PRESIDENT'S ASSISTANCE TO MARROQUIN IN THE GREAT CIVIL WAR.

The President, in the intervention I will now discuss, was supporting Marroquin. Whether he was requested to do so by Marroquin does not appear from any information given to Congress by the President. A call for information since April, 1902, was made by the Senate in resolutions that were adopted, after much obstruction, on the 13th day of February, 1903. It sufficiently appears from the message of the President, in reply to the resolutions, that the facts disclosed in the correspondence sent to the Senate were then of great importance in their bearing upon the Hay-Herran treaty, then pending in the Senate.

They are of much greater importance at this time, in connection with the project of getting a canal concession at Panama through a newly created State in the family of nations, with the aid of the New Panama Canal Company and its diplomatic leading counsel, backed by the whole power of the Administration and the power of the Navy of the United States, and encouraged by the smiling acquiescence of Great Britain and the lively but exacting sympathies of France, which has even more than forty million "reasons of state" for getting rid of all social connections and malodorous contact with the infamies of the New Panama Canal Company.

In his reply to the Senate resolution, as to the war in Panama, in aid of Marroquin, it appears that the Secretary of the Navy had furnished him with all the correspondence in that Department since March 3, 1902, on the 16th of March. It was needed for the information of the Senate before the 17th of March, which was the day, at 2 o'clock, that was agreed to by the unanimous consent of the Senate for the vote on the Hay-Herran treaty, without further debate, of which fact the President and the country were fully informed.

The Secretary of the Navy, knowing the importance of the facts called for by the resolution of the Senate on the question of the ratification of the treaty, and the resistance that had been

made to the adoption of the resolution, did not place a copy of the records in the hands of the President until the 16th of March, 1903. He could easily have had copies of these papers made out by the 20th of February, which would have given the Senate twenty-five days for their examination.

The President withheld the report of the Secretary of the Navy from the 16th to the 19th of March—three days—and sent it to the Senate on the 19th of March, not more than two hours before the final adjournment, when it was impossible even to have the paper printed before the extraordinary session of the Senate had adjourned sine die, as he knew it would adjourn on that day.

If these important facts had been before the Senate in time for their examination before the final vote was taken on the Hay-Herran treaty, I believe that I hazard nothing in saying that the vote would have been different.

With a cyclonic rush that treaty was driven through the Senate, when it was openly admitted by the chairman of the Committee on Foreign Relations and by other Senators that some of the amendments that I offered to the treaty were right and ought to be adopted; but they said that if we should adopt them the treaty would be lost, and railed at me as an enemy to any canal because I insisted on a treaty that would not disgrace the United States by concessions to Colombia and Cromwell.

Even in those conditions, that never before had existed in the Senate and, I hope, will never exist again, when the dignity, rights, and honor of the country were confessedly sacrificed to a sudden passion for an unworthy scheme, the facts set forth in the message of the President, if they had been known to the Senate, would have checked that body in its wild and fatal career and have saved the country from a new peril and a deeper disgrace that is now being worked out through our second invasion of Colombia.

Through this message there has developed a thread of history, the meaning of which was then hidden from the Senate by the studied delay in complying with its resolution. The present invasion, which reverses the motives which led to that of 1901 and 1902, discloses the fact that the President has assisted Colombia in the first conflict and the secessionists in the second, both under the impulse of a fixed purpose to locate and construct a canal at Panama, without regard to what it will cost Colombia or the United States, and in both he was equally determined that the fraud-incrusted Panama Canal Company shall be paid \$40,000,000 for what is not worth \$20,000,000 to the United States.

Neither does he seem to care that serious offense is given to Latin-America in the fourth article of the Hay-Herran treaty by its officious pretensions of a friendly guardianship of their power and for the development of their prosperity, and, far worse, by the rude and violent breach of our pledge that we "would not in any way impair the territory of Colombia." Nor does it seem to be a matter worthy of consideration that this course will lose to our people even the miserable 5 per cent of the trade with those states that our prohibitory tariff has spared us.

MARROQUIN'S WAR AND THE CAMPAIGN IN PANAMA.

The war of 1898 to 1902 was the immediate result of the contract of Sanclemente with the Panama Canal Company for an extension of the Wyse concession from 1904 to 1910, and this appears in the declaration of the Liberal party of the causes that led to that bloody civil war in Colombia.

This same contention was the cause of the fierce hostilities in the Department of Panama when the war reached that Department, and it was settled there in favor of Marroquin through our aid to his army and through the intervention of our State Department. These assertions are established by the facts that appear in the message of the President, which was withheld from the Senate until after its final vote on the Hay-Herran treaty.

The message opens with a letter from Captain Rensinger, commanding in the Isthmus, on the 3d of March, 1902, in which he says that Colombia had about 2,000 men "on the Isthmus of Panama and Colon for the preservation of its tranquility."

MARROQUIN REJOICED WHEN OUR FLEET CAME TO SUCCOR HIM.

On February 25 Señor Aristides Arjona, acting civil and military chief of the Department of Panama, called officially upon me, and was received with due honors, and upon his leaving a salute of seventeen guns was fired.

The situation was cordially agreeable to Colombia and the United States, although Colombia had large forces on the Isthmus and was well prepared to protect her sovereignty and enforce her laws and to protect the transit across the Isthmus. The safety of the transit was never for a moment imperiled.

Troops were then arriving to increase the Colombian army to 7,000 men. She made no objection then to the presence of the naval forces of the United States, but soon grew restive on that account, claiming that their presence was unnecessary to assist in the execution of the treaty of 1846.

This restive feeling became so pronounced that on the 7th of

June Captain Ressinger brought the subject to the attention of the Navy Department, as follows:

MARROQUIN BECAME A CAT IN THE MEAL TUB.

6. For some reason best known to themselves, the leaders of the governmental forces seem anxious to impress the foreign governments with the idea that the presence of men-of-war, either here or at Colon, is not at all necessary, as they are, as they represent it, in a position to guarantee the maintenance of order on the Isthmus. In my opinion, as I have before stated in my letters, the danger to United States interests does not lie in the question of Liberals or Conservatives, but the danger lies in the fact of the concentration on the Isthmus, and especially at Panama, of some thousands of ill-kept and ill-conditioned soldiers, who, if their pay gets in arrears, will constitute the real danger to the lives and property of foreign residents.

In a dispatch to the Secretary of the Navy, on the 19th of July, Commander Porter says:

7. I received personal assurances from Gen. Manuel Quintero, jefe civil y militar, the representative of General Herrera at David, that there would be no interference with the persons or property of Americans, and that order has been issued that their native labor should not be molested or withdrawn to any greater extent than the exigencies of the situation demanded during the present condition of affairs.

11. The reports of interference with foreigners appear to be much exaggerated, and in my opinion the Americans residing in the vicinity of David and in the province of Gairiqui are in no danger of person or property, although unavoidably subjected to some inconveniences in their business relations on account of the presence of armed forces in the locality.

12. Consul-General Gudgeon concurs fully in this view of the situation.

June 2, 1892, Commander McCrea sent the following dispatch to the Secretary of the Navy:

General Gomez assured me just before leaving Bocas del Toro that the interests of foreigners were secure under the Colombian flag. He wished me to believe also that the rebellion was practically over, and in any case a sufficient garrison would be left at Bocas del Toro and at Chiriqui Grande to guard our interests there. The Chiriqui Lagoon is again declared open to all commerce. This closes out the launch episode, as well as the question of provisioning the plantations.

October 6, 1902, Admiral Casey, who had gone there and taken the chief command, dispatched the Navy Department as follows:

14. On October 4 Governor Salazar returned my call and was received with full honors, and a salute of seventeen guns was fired on his departure. He strongly protested against any restriction of Colombian Government's use of railroad as an invasion of sovereignty and treaty rights, and requested transportation of consignment of arms and ammunition from Colon to Panama, received by steamer and loaded on cars before my order prohibiting such transportation by the railroad. In reply I courteously requested him to make his protest through his Government to our Government at Washington, and reserved my answer, for the present, to his request for the transportation of the arms and ammunition.

COLOMBIA WANTED TO USE THE RAILROAD.

October 5, 1902, Admiral Casey had sent the following dispatch: SECRETARY OF THE NAVY, Washington:

Governor Salazar returned my call yesterday and strongly protested against any restriction of Colombian Government use of road as an invasion of sovereign and treaty rights, and requested transportation of consignment arms ammunition Colon to Panama, received by steamer and loaded on cars before my orders prohibiting such transportations.

Admiral Casey, the gallant, wise, and sagacious commander of our forces at Panama, wrote the Secretary of the Navy an extensive report of the situation at Panama, in which he said:

11. Judging from conditions now existing and from information I am able to obtain, there seems little prospect of a speedy termination of this strife. Panama and Colon are practically besieged; troops at neither place dare to go beyond their intrenchments. I firmly believe if our men were removed from shore the insurgents would be in Panama in forty-eight hours. I think the Government, therefore, is very willing that they should remain, making occasional mild objections, which really it does not mean shall be taken seriously.

12. Great things were expected on Perdomo's arrival, but as he came attended only by numerous generals, of which there were apparently already a surfeit in the city, I fail to see how he can accomplish much.

CASEY FORCED THE HAND OF THE PRESIDENT.

This report, while it was not so intended, forced the disclosure by the Secretary of the Navy that the real purpose of keeping our forces at Panama and Colon was to save Marroquin from being overthrown, so that the President could negotiate with him for the canal concessions that the President was authorized to acquire under the Spooner law. In proof of this proposition, I quote the cablegram of the Assistant Secretary of the Navy in reply to Admiral Casey's report, as follows:

OCTOBER 29, 1902.

CASEY, Wisconsin, Panama:

While approving your attitude, the Department wishes to impress upon you that the relations of the United States with Colombia are much strained. You must adopt measures as conciliatory as is consistent with dignity United States, overlooking matters of minor importance. Negotiations for ship canal are at present at a standstill on account of a feeling of irritation on part of Colombian representative.

DARLING.

It was the Panama Canal treaty that Admiral Casey was in fact sent out to secure, and in his unsuspecting honor and devotion to duty he was doing all he could to prevent the railroad from being used by either party as an instrument of war.

MARROQUIN WAS PANICKY.

This dispatch of Secretary Moody's was written soon after Marroquin's army had suffered a heavy defeat at Agua Dulce, which

is thus described by Admiral Porter in his dispatch to the Secretary of the Navy:

U. S. S. RANGER,
Panama, Colombia, September 8, 1902.

SIR: I have the honor to inform the Department that the Government concedes that 2,000 men surrendered to the revolutionists at Agua Dulce on the 30th of August.

2. The revolutionists are reported to be advancing on Panama.

3. The sanitary condition of Panama shows no improvement; yellow fever is spreading among the newly arrived troops.

4. The health of the officers and men of this vessel is good.

Very respectfully,

W. P. POTTER,
Commander, U. S. Navy, Commanding.

THE SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

This was the third signal defeat Marroquin's army had suffered at the hands of the Liberals under General Herrera. Its consequences were much more severe than is described in that dispatch.

Within ten days after receiving the above dispatch Marroquin was suing for peace through the intervention of the United States, and to promote that end the Secretary of the Navy wrote the commanding officer of the *Cincinnati*, who was then in chief command of our naval forces, as follows:

NAVY DEPARTMENT,
Washington, September 18, 1902.

SIR: The Department incloses herewith a copy of a letter from the Secretary of State in reference to the question of using your good offices to restore peace on the Isthmus of Panama.

The Department desires you to act in accordance with the provisions of this letter until the arrival of the *Wisconsin*, with Admiral Casey on board, at Panama, when you will please inform the Admiral as to the existing conditions, that he may continue the effort to establish peace.

Very respectfully,

W. H. MOODY, Secretary.

THE COMMANDING OFFICER,
U. S. S. *Cincinnati*.

DEPARTMENT OF STATE,
Washington, September 18, 1902.

SIR: I have the honor to submit to you confidentially the question of exerting good offices to restore peace on the Isthmus of Panama, as propounded in the following telegram from the United States minister to Colombia:

BOGOTA, September 11, 1902.

SECRETARY OF STATE, Washington:

Minister for foreign affairs desires me to inform you that his Government would appreciate your good offices to bring about peace in the country, especially on the Isthmus, where the revolution is strong. This Government has no new terms to offer, but thinks your good offices may avail to induce revolutionists to accept terms heretofore offered, and thus prevent otherwise inevitable heavy loss of life. Minister for foreign affairs added: Not only is the question of humanity involved, but so long as the war lasts Congress will not be convened, and therefore the continuance of war will delay submission of the canal matter to the Congress.

Minister for foreign affairs emphasized this last point as being well to present to your consideration.

HART.

Upon the receipt of this telegram I communicated with the President, saying to him that in view of the urgency of the situation on the Isthmus, the isolation of the United States legation at Bogota, which seemed to make communication by the minister dilatory, if not impracticable, and the absence from Panama on leave of the consul-general, Mr. Gudgeon, it might be proper to consider whether the commander of the U. S. S. *Cincinnati*, now at Colon, should be advised of this request of the minister for foreign affairs of Colombia and instructed to use his good offices in the suggested sense.

I have received from the President a telegram approving of my suggestion as to intrusting such a mission to the commander of the *Cincinnati*.

The precedents in which our naval commanders have lent their good offices to bring about peace in Central America during the past years will serve to guide Commander McLean in the execution of such instruction as you may deem proper to give him in this regard. The cooperation of the United States consul at Colon will be cheerfully given to Commander McLean, and I shall be pleased to telegraph to the consul in that sense if you desire.

I have the honor to be, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary.

THE SECRETARY OF THE NAVY.

Here the admiral of the fleet was intrusted with full power to win a peace from the then victorious Liberals, either by the use of his power to compel it or in the persuasive and honorable way that is congenial to his big nature.

In furtherance of this scheme of intervention, the dispatch of Hart shows that the proposition of the Colombian minister of foreign affairs had for its real objective the security of Marroquin's hold on the Presidency, and for its inducement the election of a Congress to ratify the Hay-Herran treaty.

PEACE WITH HONOR AND A CANAL TREATY.

These cooperating purposes clearly show that our part in that war was to prevent the overthrow of Marroquin in order to save the canal treaty by saving Marroquin's Government.

The treaty of 1846 gave us the right and imposed upon us the duty of being there with military forces to aid Marroquin in protecting the railroad transit, if that was his purpose, as it was not. He was protecting his dictatorship over Colombia, and we, knowing the fact and being informed by Captain Ressinger, as I have shown by his dispatch I have just read, that Marroquin's troops

that we were guarding against Herrera, were the only real danger to Americans and their property and to the transit on the railroad.

THE POINT OF JUNCTION BETWEEN THE MILITARY FORCES.

The United States Government readily yielded to this request from Colombia, and instructed its officers at Panama accordingly. Having been warned of Herrera, who was then marching on the city of Panama with the troops that had won the great victory at Agua Dulce, the Secretary of the Navy made the discrimination in favor of the Colombian army that saved them against final overthrow at the city of Panama, as follows:

U. S. S. CINCINNATI,
Colon, Colombia, September 20, 1902.

SIR: I acknowledge the receipt this date of the following cablegram:

"CINCINNATI, Colon:

"United States guarantee perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. United States of Colombia guarantee right of way or transit across Isthmus open and free to Government and citizens of United States and their property. Any transportation of troops which might contravene these propositions of the treaty should not be sanctioned by you, nor use of road be permitted which might convert the line of transit into theater of hostility. Transportation of Government troops not in violation of treaty, and which will not endanger transit or provoke hostilities, may not be objectionable. The Department must rely on your judgment to decide such questions as the conditions may change from day to day. Consult Department freely when in doubt.

"MOODY."

Very respectfully,

T. C. McLEAN,
Commander, U. S. Navy, Commanding.

This order of the Secretary of the Navy is the point of connection between the military forces and operations of the United States and Colombia. From this fixed and carefully arranged union of forces, to hold Marroquin in the Presidency, so that he could treat with the United States, until the capitulation was made on the 21st of November, the progress was steady and the canal was the point that was constantly in view.

SHOWED DISCRIMINATIONS.

The privilege of passing armed forces over the railroad, which had been denied to both belligerents in the orders of September 19, in the same words, was allowed to the commanders of the Government forces on the 20th of September, in the discretion of the commanding officers, and was refused to General Herrera, commander in chief, and to other commanders of the revolutionary forces. The order of the 19th of September was not modified in favor of the victorious Herrera, as it was on the 20th of September in favor of the Government forces. This was a cunning act, but it was not high. It was scarcely "decent."

On the 28th of September, 1902, Herrera replied to the order of September 19, excluding his army and that of Colombia from transit on the line of the railroad or transportation on the cars, but he alleged that munitions of war were being transported for the Colombian Government and claimed equal belligerent rights. He did not know of the order of 20th of September, granting the special privilege to Marroquin's army.

On the 3d of October Admiral Casey sent the following letter to our consul at Panama, which conceded the claim of Herrera to equal belligerent rights:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 2, 1902.

DEAR SIR: I will thank you to inform the governor that while the trains of the Panama Railway Company are running under the protection of the United States I must decline the transportation of any combatant or any ammunition and arms over the road which might cause an interruption of traffic or convert the line of transit into a theater of hostility.

Very respectfully,

SILAS CASEY,
Rear-Admiral, United States Navy,
Commander in Chief United States Naval Force Pacific Station.

Mr. FELIX EHRLMAN,
United States Vice-Consul-General, Panama.

On the 18th of October Admiral Casey wrote as follows to the Secretary of the Navy:

I inclose a clipping from the Panama Star and Herald of October 12, 1902. In this connection I take occasion to inform the Department that I have refrained, as far as possible, from in any way embarrassing the officials of the Colombian Government, except so far as is absolutely necessary in my judgment to maintain uninterrupted and unembarrassed transit and to prevent the line of transit from being converted into a theater of hostilities. I shall decide such questions as the conditions may change from day to day and when in doubt will consult the Department. Further in this connection I have to inform the Department that I have been unable to learn of any effort on the part of the Colombian Government to crush the revolution in this district just prior to or since my arrival at Panama. On the other hand, it is my opinion that if it were not for the restraining influence of our naval force here Panama would fall an easy victim to the combined land forces and gunboats of the insurgents.

Marroquin's Government having been defeated in every general engagement but one during the entire war in Panama, was saved, as Admiral Casey states, only "by the restraining influence of our naval force here."

HERRERA, THE VICTOR, WAS SOUGHT AFTER.

On the 9th of October he had written to General Herrera as follows:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 9, 1902.

SIR: I have the honor to inform you that I have been authorized by my Government to offer my friendly services to the leaders of the contending parties in the Republic of Colombia, with a view to bringing about a friendly meeting between them and a discussion of their differences, to the end that they may mutually agree upon such terms as will put an end to the strife and restore peace and tranquillity in the Republic.

Herrera had then such advantages over the Government army that his final success depended solely upon the strict neutrality of the United States between the belligerents.

When the marines were landed and strongly posted, under the orders of Admiral Casey, on the 4th of October, Herrera knew that he would not be permitted by our naval forces to attack Colon or Panama, and that he could not keep his forces in the field to await the change in that military situation. He therefore accepted the invitation of the United States to confer with Salazar and the governor of Panama about arranging terms of peace. His answer to the invitation of Admiral Casey was intercepted by Herrera's guards, and he wrote a second letter, from which I will present some extracts that justice may be done to the noble bearing and sentiments of this general of the victorious Liberal army.

HERRERA, THE PATRIOT, WANTS PEACE, WITH THE RIGHTS HE WAS FIGHTING FOR, INSIDE OF THE UNION.

REPUBLIC OF COLOMBIA, SAN CARLOS, October 18, 1902.

SIR: I had the honor to receive your courteous communication of the 9th, in which you informed me that the illustrious Government of the United States had authorized you to offer mediation to the contending parties in the present civil war in Colombia, in order that some agreement may be arrived at that would put an end to the conflict and establish peace and tranquillity in the country.

I am under obligations to the Government of the United States and to you personally for the offer made, which shows a high spirit of justice and a feeling of sympathy toward the Colombian nation, and in view of your voluntary and noble offer I accept, confident, moreover, that it will not be unfruitful.

I agree, then, to be present at the conference that initiates your labors as a mediator, and on the date agreed upon by yourself, General Salazar, and the delegates I will come aboard your vessel to accept the hospitality which you so generously offer.

Please express to your illustrious Government, in my name, in the name of thousands of armed citizens that compose my army, in the name of the revolutionists throughout this country, and in the name of the Colombian patriots who desire to put an honorable end to a war undertaken solely to insure our civil and political rights, the gratitude which we owe for its noble and generous act.

With sentiments of the highest esteem and consideration, I remain,
Your obedient servant,

B. HERRERA.

Rear-Admiral SILAS CASEY, U. S. Navy,
Commander in Chief, United States Naval Force, Pacific Station.

MARROQUIN WANTS TO HOLD HIS OFFICE AND OUR PRESIDENT WANTS A CANAL TREATY.

In the capitulation of Herrera, on the 21st of November, 1902, the following stipulations were inserted:

ART. 5. The exclusive cognizance of the judicial power to promote and effect responsibilities for ordinary offenses.

ART. 6. The incorporation in the rights and obligations that are conferred and imposed by this treaty of all the revolutionary forces that exist in the Republic, and of those within or abroad, that are compromised by the revolution and wish to accept the terms of this treaty.

ART. 7. In accordance with the desire of the Government and the nation, as soon as public order is restored an edict of convocation to elections will be issued, regarding the members for Congress, in respect to which the Government engages itself to use all its authority to effect it with purity and legality, as was promised by the vice-president in the response given to a memorial signed by various Liberals of Bogota the 14th of April of the present year. To this Congress will be submitted for consideration the following questions of high national interests:

(a) The negotiations relating to the Panama Canal.

(b) The reforms presented to the Congress in 1898 by the vice-president of the Republic.

(c) The reformation of the monetary system of the country, in which paper money serves as a base, making the rentals to the Republic from contract on the canal inalienable.

ARTICLE 8. The recognition of the Government's authority by the members of the united armies of Cauca and Panama and by all forces or people that desire to receive this treaty.

Thus the canal war ended in Panama, with a victory for Marroquin which he had failed to win on the battlefield, but received at the hands of the United States, on his humble request for our good offices, when his defeat was certain; for which the President obtained the consent of the Liberal army that Marroquin "should be recognized as the executive head of the government by the members of the united armies of Panama and Cauca, and by all forces or people that desire to receive this treaty." This was merely to quiet the opposition to Marroquin, so as to enable him to negotiate a canal treaty with President Roosevelt.

Recognizing Marroquin the dictator as the President of Colombia, the President of the United States gave him the assistance of an actual military intervention in his behalf while acting as mediator between the acknowledged belligerents, in order to so pacify the country that we could at least, with a show of authority, give him a standing in the laws of nations as a sovereign.

THE WRECKAGE OF THAT WAR CAME TO US AS SALVAGE.

The wreck of that enterprise need not be described, but out of it a specter has arisen—a new-blown Republic—described by one who is also newly great as a nation created by "the explosion of an idea," which idea was the private opinion, publicly expressed, of a junta in Panama, organized in the interests of the Panama Canal Company, that Panama is a free, sovereign, and independent state, and that the pledge of the treaty of 1846, in which we guaranteed the sovereignty of Colombia, has passed as a "covenant that runs with the land" to the secessionists who for the moment have hung a flag above it on a pole.

In this coup d'état the thread of a fixed purpose runs through web and woof.

The same purpose that moved the President to obstruct the victorious army of Herrera in order to keep faith, at least in appearance, with Colombia—the ownership of the French canal at Panama—is now supported with our naval power in assisting to expel the sovereignty of Colombia from the department of Panama in order still to get that canal. All roads that the President travels lead to the Panama Canal. Some of his discreet friends should counsel him not to burn the bridges behind him.

WE MUST TAKE THE REPUBLIC OF PANAMA, CUM ONERE.

If this covenant with Colombia in 1846, which we made for our own advantage, passes into the hands of Panama—her enemy—who has defrauded her out of it, or has captured it by a coup d'état, or may capture it in war or by a sordid conspiracy with the Panama Canal Company, we must take the obligations of that treaty along with its benefits, and we must reverse its terms by a trick of legal construction and protect the sovereignty of Panama over that territory and protect her in the ownership of it against Colombia and against all the world.

The covenant of 1888 with Pope Leo XIII, if it runs with the land, binds Panama to pay a stipend of \$100,000 per annum to a salaried priesthood and fix it in her annual budget, for it runs as an entire contract, if it runs with the land, and can not be parceled out or reduced in amount except by a new agreement. If we must shoulder that debt when we shoulder the infant republic as its wet nurse, because the baby and annuity "run with the land," we had better raise a question on the adoption of that new canon of the international law.

If the Republic of Panama, already independent, as is claimed by the President's recognition, should turn over our \$10,000,000 to be paid for the canal to Colombia to pay her for her recognition, as it seems probable, what will she do for a living after that noble deed? I dread to contemplate the swelling of our pension roll when Panama pays so dearly out of her dowry for her liberty already won by a coup d'état.

The covenant that runs with the land also compels Panama, in virtue of that concordat, to provide a law that a person who has married another under the authority of the municipal law and under the ministry of one who is not an ordained priest of the Roman Catholic Church may, at his or her option, dissolve such a marriage by entering into marital relations with another person, which second marriage shall be valid in law if the nuptials are celebrated by such an ordained priest.

Such covenants, if they have the legal sanction and binding obligation attributed to them by the Secretary of State, by running with the land, will soon run the rights of other nations into the ground. There will be no more guaranties created by treaty if they have this migratory nature and the obligatory force to attach themselves to a piece of territory that may fall into the hand of a public enemy of the unfortunate guarantor.

THE SAVAGE CHARACTER OF MARROQUIN'S WARFARE.

The war of 1901 and 1903 in Panama, in which we were the ally of Marroquin, deserved the condemnation of all Christendom, because of the basis of plunder and confiscation on which he conducted it. I will now present that terrible series of decrees issued by Marroquin, the Vice-President of an American republic, acting as President, and enforced for the support of that war by his decrees as dictator, which would disgrace any savage king that ever carried a war hatchet or a scalping knife, as the scepter of his brutal force, to typify his royal dignity.

[Documents taken from the Bulletin Oficial, No. 43, organ of the Jefatura Civil y Militar of the Department of Bolivar, Barranquilla, February 20.]

DECREE No. 1290.

[November 21, 1901.]

(By which is established military contributions.)

The Vice-President of the Republic, empowered with executive authority, considering—

1. That it is not convenient to cover all the expenses of reestablishing public order by issuing paper fiat money, and it is of importance to accredit the money legally established by the nation.

2. That justice demands that the calamities of the war fall not equally among all the citizens, but especially upon those who have contributed to foment it, or have aided it with their sympathies, their interests, or their persons.

DECREE.

ART. 1. A military contribution of \$11,500,000 is established, which contribution may be imposed periodically at the discretion of the executive department by a simple executive decree circulated by the minister of the treasury, if public order continues disturbed. The contributions will be distributed between the departments of the Republic in the following proportions:

Antioquia	\$750,000
Bolivar	1,250,000
Boyaca	1,000,000
Cauca	750,000
Cundinamarca	4,000,000
Magdalena	500,000
Panama	750,000
Santander	1,500,000
Tolima	1,000,000

Total 11,500,000

ART. 2. The governors of the departments will apportion the extraordinary contributions set forth in the preceding article among the authors, accomplices, abettors, and sympathizers of the rebellion and decide upon the manner of collecting it.

ART. 3. The agents charged with the collecting of the contribution which is indicated by this decree will be aided in the fulfillment of their duties by the civil and military authorities.

ART. 4. The military contribution which is the subject of this decree may be imposed in gold or silver in the commercial centers which the Government may esteem convenient, and will be delivered at the pleasure of the contributors in either of these two kinds or in paper money at its rate of exchange on the day of payment.

ART. 5. When the governors consider convenient that the collection of the contribution be done by a special agent and not directly by the national officials of the department of the interior (administradores de hacienda), the payment will be made in the respective hacienda offices. It will be the especial duty of the agent-collector to publish immediately in print the amount he collects, giving the names of the contributors and their payments.

The governors will send to the secretary of the treasury all documents relating to the collection of the contribution. This minister is empowered to regulate by resolution all related to the present decree.

Given in Bogota, November 21, 1901.

JOSE MANUEL MARROQUIN.

(Following the above are the signatures of all the cabinet.)

DECREE No. 46.

[Of January 15, 1902.]

By which is arranged the manner of covering the losses caused to and contributions imposed upon the friends of the Government by the revolutionists. The Vice-President of the Republic, empowered with the executive authority.

DECREE.

ART. 1. From and after the publication of this decree the friends of the Government who, outside of actual military operation, suffer loss or confiscation of property through the agents of the revolution, will have their property immediately reimbursed to them in money, which is in fact exacted from the enemies of the Government.

ART. 2. The proof that the injured parties must present to the Government in order to reclaim the value of confiscated property will consist of the receipt given them by the revolutionaries; or, in default of this document, the oaths of three witnesses taken before the local authorities of the place where the confiscation or destruction occurred.

ART. 3. The minister of war in Bogota and the governors in the departments are charged with the punctual execution of this decree, and to regulate the manner of effecting the restitutions to which it refers.

Communicate and publish.

Given in Bogota, January 15, 1902.

JOSE MANUEL MARROQUIN.

ARISTIDES FERNANDEZ.

DECREE No. 53.

[January 17, 1902.]

Concerning the collection of military contributions. In fulfillment of the legislative decree, No. 1293, of November 21, 1901.

DECREE.

ART. 1. The military contribution of eleven million five hundred thousand dollars, to which article 1 of the aforementioned decree refers will be monthly in its character and will be collected in advance in this form and quantity as long as the public peace continues disturbed.

ART. 2. This contribution will be distributed by the governors (jefes civiles y militares) of the departments, and it will be collected by special agents named by them, and whose salary will be not less than a commission of fifteen per cent.

ART. 3. In the cities of Bogota and Medellin the contribution will be paid in gold or in its equivalent in national paper money evaluated at the rate of exchange of the day of the payment.

ART. 4. In the provinces of Cucuta and Pasito and in the Department of Panama the contribution will be paid in money of 0.855.

ART. 5. For the collection the governors and their special agents may make use of all necessary force, so that the collection may be completely effected in the shortest possible time.

Given in Bogota this 17th day of January, 1902.

JOSE MANUEL MARROQUIN.

The minister of the treasury:

AUGUSTIN URIBE.

This batch of confiscation decrees was sent by Captain Resinger to the Secretary of the Navy with his dispatch of March 3, 1902. The President must have known the contents of that dispatch, when he determined that the pretense of protecting the transit in Panama furnished him with the coveted excuse for enforcing the Panama Canal upon the country, by assisting Marroquin in his war upon his own countrymen. Panama was the only point in Colombia where the treaty of 1846 gave Marroquin and the President the opportunity to join hands in a common effort to destroy the Liberal party—the party of the constitution—and to put the Jesuits in power, and the President resolved to assist Marroquin by lending the power of the Navy to conduct a war

that the Congress of the United States had neither declared nor recognized.

MARROQUIN MISTRUSTED THAT OUR PRESIDENT WAS INSINCERE IN HIS FRIENDSHIP.

The progress of that fraternal compact was without disturbance between the two Presidents until Herrera began to beat Sallazar on every field where they fought. After the terrible defeat of Agua Dulce, and faithful Captain Rensinger of the *Philadelphia* became sick with Chagres fever unto death, which soon followed, Capt. Silas Casey, with the *Wisconsin*, was sent to Panama to take command.

This able and honest admiral was not able to read the instructions of the Navy Department between the lines, but laid his hand of duty firmly upon the movements and operations of the forces of the open belligerents, and directed his own course by the honorable observance of the laws of neutrality in his military operations.

He arrived at Panama on the 30th of September, 1902, and took command. In his first dispatch, October 6, he gave a full account of the situation in Panama by inclosing a copy of his letter of October 2 to Consul Ehrman, as follows:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 2, 1902.

DEAR SIR: I will thank you to inform the governor that while the trains of the Panama Railroad Company are running under the protection of the United States I must decline the transportation of any combatant or any ammunition and arms over the road which might cause an interruption of traffic or convert the line of transit into a theater of hostility.

Very respectfully,

SILAS CASEY,
Rear-Admiral, U. S. Navy,

Commander in Chief U. S. Naval Force Pacific Station.

Mr. FELIX EHRLMAN,
United States Vice-Consul-General, Panama.

This was Admiral Casey's doctrine of honest, vigorous, and impartial neutrality, but it did not accord with what was written between the lines in the diplomatic understanding between Marroquin and the President.

Admiral Casey moved on in the plain line of duty and sent another dispatch to the Secretary of the Navy on the 20th of October, which gave our President deep concern. He said:

4. I am often asked to allow the ammunition and ordnance, now loaded on cars at Colon, to come over. Some of the latter is intended for the armament of the *Bojota* when she arrives, but I have invariably declined for reasons previously expressed. As a matter of fact, the Government is more seriously embarrassed by this restriction than the insurgents, but I can see no reason why the transit of the Isthmus should be jeopardized by the removal of these restrictions. I do not apprehend trouble so long as troops and ammunition are not transported, but as soon as that rule is departed from interference may be expected, for it must be remembered the roadbed is entirely unguarded between Colon and Panama.

5. A great deal of sickness prevails among the Colombian troops, especially at Colon, where the death rate is about from ten to twelve a day. It is less than at Panama. The disease seems to be mostly dysentery, with some yellow fever.

11. Judging from conditions now existing and from information I am able to obtain, there seems little prospect of a speedy termination of this strife. Panama and Colon are practically besieged; troops at neither place dare to go beyond their intrenchments. I firmly believe if our men were removed from shore the insurgents would be in Panama in forty-eight hours. I think the Government, therefore, is very willing that they should remain, making occasional mild objections, which really it does not mean shall be taken seriously.

12. Great things were expected on Perdomo's arrival; but as he came attended only by numerous generals, of which there were apparently already a surfeit in the city, I fail to see how he can accomplish much.

This blunt and honest statement of the truth alarmed the President for the safety of Marroquin's Government and the fate of the Panama Canal scheme.

Admiral Casey evidently did not then know of the petition of Marroquin to President Roosevelt in September, through diplomatic agents, to intervene to obtain peace in Panama, and that it was the policy of the Government in the protection of the transit also to protect Marroquin's army against a final defeat by Herrera, which would defeat the canal scheme.

Casey had his mind on his duty as the military representative of the Government, in a situation that was extremely delicate and responsible, and was indifferent at the outlook for the Panama Canal. This attitude of innocent integrity on his part did not suit the purposes of the President, and Mr. Darling, Acting Secretary of the Navy, sent him this pregnant dispatch:

OCTOBER 29, 1902.

CASEY, *Wisconsin*, Panama:

While approving your attitude, the Department wishes to impress upon you that the relations of the United States with Colombia are much strained. You must adopt measures as conciliatory as is consistent with dignity United States, overlooking matter of minor importance. Negotiations for ship canal are at present at a standstill on account of a feeling of irritation on part of Colombian representative.

DARLING.

THE PURPOSE OF OUR MILITARY INTERFERENCE DISCLOSED BY ANTECEDENT FACTS.

Here the purpose of the military interference of the President in that war by giving silent but effectual support to Marroquin is fully disclosed. At the time of his sending the fleet to Panama

and until the close of that war he was using all his power as President to land the Panama Canal Company's project to sell the canal to the United States, knowing the terrible impeachment it had suffered in the final report of the Isthmian Canal Commission made to him, and that it had inherited the dreadful scandals that its membership brought to it as the chief despoilers of the old company.

Marroquin had quieted his title as President, but refused to give up his power as dictator, and we proceeded to negotiate with him while he still held his child conscripts under orders to support his power.

ACTION TAKEN ON THE FINAL REPORT OF THE ISTHMIAN CANAL COMMISSION, HERE AND IN FRANCE.

After that report was made and Monsieur Hutin was removed from the position of president of the new company, because he insisted upon the price of \$109,000,000 for the property, based on an official appraisal, Monsieur Bô was put in his place, because he proposed to accept from us the appraisal of the canal concessions and its property at \$40,000,000. The President thereupon resuscitated the defunct Isthmian Canal Commission and ordered it to consider and report upon a proposition to take the offer of Monsieur Bô, which was sent by cable dispatches, and to confer with Monsieur Lampré, the secretary of that company, who was here. In all this hasty procedure no friend of the Nicaragua route, even of the 308 Members of the House who had voted for the Hepburn bill on the 9th of January, 1903, was called into that conference, so far as any information has reached Congress.

That Commission received these orders on or after the 9th of January, 1903, and made their report on the 18th, giving it not more than the traditional time for the production of this "nine days' wonder." In two more days the President sent it to the Senate. Then he proceeded to negotiate with Señor Silva, minister of Colombia, for a treaty, which failed because Silva knew and insisted that President Marroquin had no right to make a treaty to convey any canal rights to the United States until he should be so authorized by Congress, and that Congress itself had no right to authorize him to dispose of the lands or territory of Colombia. He was recalled suddenly by Marroquin, and Señor Concha was sent as minister to the United States to negotiate a canal treaty. He arrived before the end of March, and sent to Mr. Hay a draft of a treaty, with "expository communications" of Mr. Cromwell, counsel in chief of the New Panama Canal Company, on the 31st of March.

Mr. Cromwell and the Colombian minister hunted in couples, but Mr. Silva, being averse to this leash, retired in disgust and was condemned to imprisonment by Marroquin, where he soon died.

Mr. Cromwell had, in the result of this war in Panama, his second revenge on the Liberal party in Colombia, the first one being a civil war that was the result of his determination to coerce San Clemente to agree to extend the Wyse concession from 1904 to 1910. By offering him the glittering bauble of \$1,000,000, which he accepted, Colombia was forced into civil war because the Congress refused to ratify the bargain.

His mission seems to be that of the avenging nemesis of trans-isthmian canals and their promoters who proceed a single step without legal advice and "expository communications" from his law firm.

The United States now again encounters his stealthy contact, and it remains to be seen what will become of us if his fee bills are not satisfied.

Concha made haste to treat with Mr. Hay, and concluded the negotiation of the 21st of April, 1903.

When it came forth, the hopes, cautions, conditions, and qualifications imposed by the Isthmian Canal Commission upon their final recommendation in favor of the Nicaragua route, by the codicil to their last will and testament, called a supplemental report, were all dissipated into thin air by the Hay-Concha treaty. They lost all save their honor, but the diplomatic iconoclasts damaged that all they could by their refusal to adopt these safeguards of a most questionable decree.

Their conclusion was adopted by the President, without regard to the qualifications with which they had attempted to safeguard it, and they still live. They refuse to die, and the president of the Commission, on board the latest born of the argosies of independence, has sailed to Panama on the *Mayflower* to protect the liberties of those patriots and to promote the interests of the New Panama Canal Company, that he once opposed in favor of the United States. He seems to be on this mission for the President. Possibly he is expected to keep down the price that the Republic of Panama will demand for the concession and the pure allodium of the land that she has wrested from Colombia at such fearful cost of blood and honor. The papers say that he is already at work directing the work on the canal and the engineers of the New Canal Company. This may be another instance of the performance of "covenants that run with the land." As a new

method of acquiring title by accretion and cheek, it seems to be the latest and most taking of America's great discoveries.

While the war went on in Colombia and grew desperate, Mr. Hay and Señor Concha were peacefully engaged in the evisceration of the supplemental report of the Isthmian Canal Commission by eliminating from it all the merit there was in it in the surrender to Colombia of every recommendation it had made, except the price of the concessions, which was fixed by agreement at \$7,000,000.

Colombia made that agreement, but she never meant to keep it, and the President could not get the treaty without paying her \$3,000,000 for this breach of national honor.

The Spooner law was then enacted by Congress, which restored some of the leading provisions of the codicil to the final report of the Isthmian Canal Commission, but this law went down when the Hay-Herran treaty was ratified, in several of its leading provisions, and would, to that extent, have been repealed if Colombia had not saved Congress that humiliation.

This double expression of the approval of that codicil by that Commission and by the vote of Congress could not stand against the will of the President, and he determined to disregard both these solemn mandates and to repeat the demands of Colombia that were conceded in the Hay-Concha treaty, with the addition of \$3,000,000 as the price of the concessions, to be paid to Colombia. Congress had torn the Hay-Concha treaty to tatters, and the President restored it almost word for word, and in all its substantial provisions except where it was changed, to the decided benefit of Colombia, in the Hay-Herran treaty under the Spooner law, but against its most express and mandatory provisions.

THE INTENDED REPEAL OF THE SPOONER LAW BY THE HAY-HERRAN TREATY.

Its ratification by Colombia was relied upon to repeal the Spooner law, by implication, where a conflict occurred, and thereby to extinguish the last hope of a canal at Nicaragua.

MR. MCKINLEY HAD DONE HIS WHOLE DUTY.

Mr. McKinley had done all he could, as an honest President, to build the Nicaragua Canal, and in his speech at Buffalo, which was his final will and testament to the American people, though he did not realize its solemnity, he pointed to that canal as the work his hands had created. It was his highest monument, to which he pointed when he implored us to complete that canal. No power will ever prevent its completion, by the United States or by others.

Another may vainly essay to tear it down and erect one to himself out of its living stones. He will fail. As well might some American, yet to be born, attempt to tear away yonder monument to George Washington and to build one for himself on some fetid marsh.

MY CONDEMNATION OF THE HAY-HERRAN TREATY WAS BASED ON CONVICTIONS THAT ARE IN RAPID PROCESS OF REALIZATION.

The first sentence I had the honor to speak as to the Hay-Herran treaty was that it was a declaration of war with Colombia. I knew that Concha had gone home to oppose that treaty. Silva had died in prison because he had refused to negotiate a like treaty under instructions from his Government, and I felt that a new Congress, elected under martial law, would be afraid to take the risk of its ratification and to outlive the contempt of new generations in Colombia.

I believed that the New Panama Canal Company, if they should lose their prize of \$40,000,000, and the syndicates which now hold the bonds of the old company, which they have purchased from poor people for a song, would again light the fires of civil war once fanned by them into a flame in Colombia, and that our President would again intervene in order to get the canal concession under his control. Such intervention has come, and a war of races and of churches will follow, and war upon our commerce, which has already set in; and I believed then, as I fear now, that these smoldering fires will flame up in open hostility.

I had no doubt—I could find no room for doubt—that if the Hay-Herran treaty were ratified by the Congress of Colombia it must cause war between the two republics. I reasoned in this way in finding myself unable to reach any other conclusion.

Colombia had notified us, in raising her demand from seven to ten million dollars for the concession, when all men in Congress and elsewhere knew that she was in honor bound to keep her solemn agreement in the Hay-Concha treaty, that she would at every opportunity levy blackmail on the United States.

I saw that three such opportunities were furnished her in the terms of that treaty. One in making an agreement as to the terms of extension of the lease, and to fix the annual rent at the end of one hundred years. Another, in arranging by future agreement for the organization and power of the courts to be established in the canal zone. Another, the future agreement to be made for securing the health and the policing of the canal zone.

I foresaw that if we ever agreed upon these essential matters we would have to pay heavily to get them into practical shape.

It is manifest that the Hay-Herran treaty reserved expressly the whole power of military command over the canal zone, and that whenever Colombia chose to order us away we would be obliged to withdraw any armed forces we might have there, no matter what exigency may have caused us to send them to the canal zone. It needs no argument to prove that war would at once follow such an order.

I could not have voted for such a treaty if it had been with Nicaragua or Costa Rica.

When the Hay-Herran treaty was before the Senate for consideration a number of amendments were offered to it, all of which were voted down. Those on which votes by yeas and nays were taken were decided by a party vote. No one in the Senate claimed that these amendments were unnecessary or unimportant. The only reason given for opposing them was that if adopted the treaty would not be ratified by Colombia.

I would never vote for a treaty to bind the United States forever, as this treaty did, when it was so wrong or defective that no Senator presented any other than the suggestion that Colombia would not ratify it if it was amended so as to protect vital interests of the United States.

It is inconceivable to me that any treaty with a foreign power that is to become the supreme law of the United States, with the concurrence of such power, could be voted by the Senate under any other conditions than as an alternative for national subjugation or from impotency.

And the suggestion was made that in this case we would defy such alternatives and nullify our pledges, which are our national oaths.

This admission of our purpose, necessarily implied from our silence, to break our own treaty when our convenience required such an act, aside from its deliberate suggestion of national dereliction, would give to Colombia and other nations a just excuse for war against the United States and a more damaging war upon the canal.

A stick of dynamite in the hands of an injured man or a state that has been defrauded in such a treaty could do harm to us as a nation that all our fleets and armies could neither prevent nor redress.

I desired to fix in the treaty a national and just agreement that would prevent conflict or friction between the United States and Colombia in the future. No care was given to these suggestions, though their value was admitted, and these patent causes of trouble were purposely left open to entice Colombia into the belief that we intended to stand by our treaty engagement when our purposes were reserved. I could only discern quarrels in these conditions that would lead to war in the future, and a state of actual war has come, from which we will be fortunate if we escape. I did not reason amiss.

If we were dealing with any power of respectable strength war would be open and active at this hour between Colombia and the United States.

I will venture another forecast as to the near future. If we construct a canal at Panama under any treaty we can make with so weak a power, the very weight and pressure of national necessity will force us to extinguish any claim Panama may have of territorial sovereignty as an independent state.

Whether this will come of voluntary annexation or by capture, it must occur in the nature of things. Colombia and all Spanish America know that the Republic of Panama could not stand a month without the military protection of the United States, and it could not live except as a perpetual pensioner upon our bounty.

For this she can make us no return or compensation in any assistance or protection she could give to our canal property or our people. Every public expense in Panama will be borne by the United States, and the canal will have no protection of any sort that we will not provide.

When we look beyond these grave difficulties to the world-wide demands upon the United States for effectual guaranties of maritime rights, when great wars are flagrant among great nations, are we safe in committing any part of our rights, duties, or responsibilities to a power like Panama for its advice and consent? Shall we control her under a protectorate, as we do Cuba under the Platt amendment, and shall she enter, as Cuba does, into our tariff disputes so deeply that extra sessions of Congress must be called and the party organizations in the United States lined up to fight their battles over the shoulders of Panama?

I will not pursue this question further than to say that there is much difficulty in compelling a country that is as hungry as we seem to be of late "to make two bites of a cherry."

WAR WITH COLOMBIA.

If war is upon us, Colombia is not an insignificant enemy. When the veterans of her army in Panama in 1901 and 1902, who fought with courage and endured with patience the dreadful hardships of that trying campaign were to the extent of 40 per

cent of their number mere children from 9 to 15 years old, their soldiers in their native mountains will not be so easily subdued as some imagine. We will have an insignificant but dangerous enemy, with whom war is a passion.

This is what the lieutenant-commander of the *Bancroft* had to say about these soldiers in his report to the Navy Department of December 19, 1902:

The Government forces are being slowly disbanded. Forty per cent of them are boys from 9 to 15 years of age. They are stationed at various posts along the route of the railroad, are filthy in person and dress and poorly clad, and appear like a rabble of children.

What shall we do with the Republic of Panama if she should desire to return to Colombia?

I know that advice is cheap and, coming from a suspected source, it is despised, yet I will venture the suggestion to the majority of this body, who now take up the canal question and make a political issue of this effort to benefit and bless all the world, that, in the end, very soon to be reached, Panama will become a Territory of the United States through a necessity that is unavoidable.

This result being certain, it is due to humanity that it should be without the shedding of innocent blood and free from a long series of contentions and conflict in Panama, and free from the ill will of the Spanish-American states and from European complications that will arise.

The true course of courageous statesmanship is to anticipate the inevitable and prepare for it. To some this disturbed condition will give the delight of a bazaar performance, if more of that is desired. To the thinking and responsible citizen it will give the satisfaction that this new enterprise will not become a rankling thorn in the heart of the Republic, and to the canal project it will give the promise of a peaceable result.

If Congress declares war against Colombia and forces our sons to kill these children described by the captain of the *Bancroft*, or to be killed by them, for no other reason than to get the Panama Canal by violence and to stain the honor of our country with its corruptions, I will vote with the rest of you to supply soldiers and money for the war. But I will not vote to declare such a war without just cause, or to force our gallant soldiers to stand guard over the canal line and the cities of Panama and Colon for years to come, that are thus described by Admiral Walker in his report to the President, made before his enthusiasm as a diplomatist engulfed his judgment as an investigator of serious facts.

The Isthmian Canal Commission, in their final report to the President on November 30, 1902, say this about the health of Nicaragua and Panama:

The climate of the isthmian canal regions is generally damp and enervating. The temperature is not extreme, rarely rising as high as 95° or falling below 70°, but the excessive humidity greatly restricts the capacity for physical exertion. The lowlands along the coast have long been known as insalubrious, and the seaports are subject to fevers. Perhaps the great difficulty to be encountered in the construction of the canal will be the procurement of an adequate force of laborers and the preservation of their health and efficiency.

In this respect the Panama route has a lugubrious history, from which the Nicaragua route is free. The notorious mortality which attended the construction of the Panama Railroad and later the operations of the Panama Canal Company has taught a lesson which will not soon be forgotten for that route. Among the white employees of this Commission sent to Nicaragua there were fewer cases of sickness than there would probably have been among the same number of men employed in some parts of the United States. Among those sent to Panama the proportion of sick was greater. On the Nicaragua line during the operations of the Maritime Canal Company the health of the force was reported to be good.

This matter is so vital to the commercial world, to our coastwise line of traffic, to all travelers by way of the canal, and to the health of our seaports that even this strong statement of the Commission is not a full and sufficient warning of the danger.

This should be sufficient on this question, but I will add another extract from the report of health officers to the Bureau of Marine-Hospital Service in June, 1901:

PANAMA.

The city of Panama, a town of 15,000 inhabitants, is situated upon an elevated point of land jutting into Panama Bay. The town is irregularly laid out, with narrow, crooked streets, cobblestoned, and filthy. The houses are Spanish in architecture in the least bad part of the city, and the rest of the town is made up of wooden shacks in all stages of decay. There are two small sewers in the place, but they are connected with only a few of the best houses. There is an insufficient water supply of inferior water, piped in from a river some distance back in the country.

The population is a cosmopolitan set, the leavings of the old canal construction. Sixty per cent being Jamaica negroes accounts for most of the filth in the town.

The harbor is situated at the head of the bay, about 2 miles from the town, and is protected by several small islands. The sanitary condition of the anchorage is naturally perfect, being swept by a 16-foot tide daily. The island nearest the shipping is inhabited by the employees of the steamship companies—laborers, stovedores, and coal passers.

There is constant communication between this island and Panama, and daily intercourse with the shipping. Yellow fever is endemic in Panama, sporadic cases occurring at intervals, and becoming epidemic whenever there is an immigration of non-immunes during favorable atmospheric conditions.

Panama is the point of distribution and collection of all passengers and freight of the Pacific coast destined across the Isthmus. It is the key to the quarantine situation of the west coast, and if it was not a focus of infection itself many epidemics on the Atlantic side could be averted by proper quarantine regulations.

The houses of Panama are so constructed and of such material and so filthy that a general conflagration would be the only safe means of disinfection. I can not conceive of any other means by which the infection could be eradicated.

COLON.

Colon, the northern terminus of the Panama Railroad, is built in a swamp on made ground, and is populated by 3,000 people, 70 per cent being Jamaica and other kinds of negroes. The property of the railroad and canal company is drained and sewered and is situated on the water front. Everything about the company's property looks clean and well kept, but the rest of the town is not so clean nor well kept.

The houses are of wood and generally dirty. There are no sanitary arrangements of any kind, and the population is crowded into small rooms, as only Jamaica negroes can live.

The streets are in fair condition, macadamized, and are on a higher plane than the adjoining lots. In the wet seasons pools are formed under the houses, and serve as breeding places for frogs, if nothing else. Rain water is collected in barrels and cisterns, and during the wet season the water supply is good and sufficient. During the dry season many of the cisterns run dry, and the water supply is hauled in from Monkey Hill in tank cars by the railroad. This supply is not good.

No history of the sanitary condition or the mortality of Colon can be had. Some of the old inhabitants tell blood-curdling tales of the death rate during the flush days of the canal construction, but the old inhabitants will not do for statistical purposes. It was well known that the death rate was enormous, but it would be interesting to know just what it was.

In the debates in the executive sessions of the Senate in March, 1903, I presented the testimony of persons familiar with the health conditions on both routes and of experts of the highest character on this subject, which are printed in the CONGRESSIONAL RECORD. I will not repeat them.

If such testimony is not to be accepted as true statements of the health conditions in Nicaragua and Panama and their coasts, it is needless to present proof to justify conclusions for or against any proposition concerning a great public peril.

In this, as in every matter, I have done my whole duty to the best of my ability; but this health question has appealed to me as other important matters do not, for it affects generations to come, and I feel that it should be of the deepest concern to the chairman and members of the committee.

It is idle, if not worse, to boast of our regard and care for laboring men if we invite 10,000 of them to Panama, knowing that they must perish of its pernicious fevers as other tens of thousands of them have done.

My heart has been true to them, and my influence and my votes will never be lent to any scheme that mocks at their interests when the question of life or death is at stake.

Having traced, imperfectly but accurately and truly, the causes of our present troubles, I will defer their further discussion.

Every year lost now will be a future loss of \$10,000,000 to the United States, and this is the least amount we will lose in waiting "a reasonable time" to proceed with this business.

On the 28th of June, 1902, the Spooner bill was enacted, and the time lost in refusing to consider the first Hepburn bill, and since the passage of the Hepburn bill, has been a loss to the people of the United States of not less than \$20,000,000 in canal tolls and four times that much in time employed in long voyages to the Pacific Ocean, in the cost of such voyages, and in the items of interest and insurance, and in the delay of mercantile and other trade.

At some future time I will present the tables that prove these disastrous results.

When we add the war expenses this delay has added and will add to these losses, we shall be fortunate if the sum total does not exceed \$100,000,000.

Having traced accurately, but not in full detail, the causes of our present troubles arising from our disregard of the wise and honorable adjustment of the canal question accomplished by President McKinley in December, 1901, I will defer further discussion of them until the misfortunes they have already brought upon the country are more clearly revealed, in consequence of the President's refusal to obey and execute the requirements of the Spooner law, which includes the provisions of the Hepburn bill.

I hope for a safe deliverance for the country through a recurrence to the demands of a very simple and plain duty, which is to proceed with negotiations with Nicaragua and Costa Rica for the concessions they are ready to more perfectly adjust, being already bound by the McKinley protocols, as to the fact that their concessions are subsisting compacts, now in full force and effect.

I will state in an appendix to my remarks some historical facts that show the "reasons for the faith that is in me" as to the great superiority of the Nicaragua route and the honest fear that almost everybody has that the Panama route is impossible as a practicable route. These historical statements cover the period from 1552 to 1870, about 350 years.

Mr. President, I have no objection to the passage of the resolution. In what I have said I have not been moved by any personal feeling, but have tried to justify my course by facts that are indisputable.

I thank the Senate for the indulgence given me. I will now present the appendix without reading, for which I have the assent of the Senate.

APPENDIX.

THE PRACTICABILITY AND ADVANTAGES OF THE NICARAGUA ROUTE—DISCOVERY AND RECONNAISSANCE—EARLY HISTORY.

In 1522 Charles V, King of Spain, sent Gil Gonzales Davila to continue the "South Sea" discoveries. On arriving at the Isthmus he transported his caravels across piecemeal, reassembling them, and proceeded northward to the Gulf of Nicoya, whence he traveled inland and discovered the lake called by the Aztecs "Cici-bola," but named Nicaragua by him.

1527: Having been repulsed by the natives, it was left for Hernandez de Cordova to build a fleet on and explore this lake in 1524, when he discovered the head of the San Juan River, the outlet to the sea, which was traversed by Diego Machuca, in 1527, to the Caribbean Sea. Thus was established the practicability of this route for isthmian transit in the early days of the Spanish occupation.

THE NICARAGUA ROUTE OPENED FOR TRADE.

1571: The operations of Sir Francis Drake in the South Sea in 1571 drove the traffic of Peru to this northern transitway, where it was landed at "Porto Realjo, or Corinto, on the Pacific coast, and carried thence across the low coast range at Lake Nicaragua; here reshipped and transported in the small vessels to the Atlantic, and at the San Juan's mouth loaded on galleons bound for Spain. This change in the route of transit was due to the fact that transportation across Nicaragua was found to be easier than that via Panama and the climatic conditions of the region far more favorable. Thus the transient glory of Panama began to die away, and in the end the whole district relapsed once more into barbarism."

Thus the practicability and superiority of the Nicaragua route was demonstrated by this early experience of the sixteenth century, and the control of this route became so alluring as to give rise to repeated efforts by freebooters during the following centuries to secure and hold control. (Z. Keasbey's Nicaragua Canal, p. 68; Squire et al. See note.)

1778: In 1778, during our war with Great Britain, the English agents, Lee and Hodgson, who accompanied the Spanish commissioners, Cramer, Yaasi, and Muestro, reported in glowing terms on this route, which led indirectly to the attack made upon the San Juan by Nelson the year following to secure possession for Great Britain.

1791: THE ROUTE OF THE CANAL.

BASTIDE, M. DE LA. Paris, 1791.

Page 9:

"From what we have stated about the three points, the easiest to execute the scheme of communication, it can be concluded that preference must be given without hesitation to the Rio San Juan."

Page 10:

"No other place in America presents so many advantages as the Lake of Nicaragua, etc., and, lastly, this lake would be an immense port capable of containing all the navies of the world."

1798: Baron von Humboldt published his conclusions as to the practicability of a canal across the Isthmus in his Personal Narrative of Travels, Vol. VI, pages 239-300, where he says:

"The Isthmus of Nicaragua and that of Copica have always appeared to me the most favorable for the formation of canals of large dimensions."

This led to the Spanish Cortes passing a decree for the construction of a canal across Central America the following year. (Keasbey, p. 120.)

1818: HUMBOLDT, BARON. Ensayo Politico sobre el Reyno de Nuevo Espana. Madrid, 1818.

Page 240:

"The bar of the Rio San Juan, on the eastern coast of Nicaragua, has 12 feet of water; on one point only there is a narrow pass of 25 feet deep. In the Rio San Juan there is from 4 to 6 fathoms, and in the Lake of Nicaragua from 3 to 8, English measure. The Rio San Juan is navigable for brigs and sloops. Mr. Davis Robinson also says: 'The western coast of Nicaragua is not so stormy as it was represented to me during my navigation in the South Sea, and a canal issuing at Panama would have the great disadvantage of being continued at a distance of 2 leagues in the sea, because there are only some 10 feet of water as far as the isles Flamenco and Perico.'"

Page 245:

"The Isthmus of Nicaragua has always appeared to me the most favorable for the formation of a canal of large dimensions. * * * In considering communication between two seas capable of producing a revolution in the commercial world, we must not limit our attention to establish a system of inland navigation by small locks, as in the canals of Languedoc, etc."

Pages 269-270:

"Being guided in the practical views, presented at the end of this chapter, only by the analogy of the labors already performed by man, I shall first observe that the breadth of the Isthmus of Nicaragua, in which the height of the ridge of partition is very inconsiderable, is nearly the same as the breadth of the land crossed by the artificial part of the Caledonian Canal. The Isthmus of Nicaragua, by the position of its inland lake and the communication of that lake with the Atlantic by the Rio San Juan, presents several features of resemblance with that neck of land in the Scotch Highlands where the river Ness forms a natural communication between the mountain lakes and the Gulf of Murray. At Nicaragua, as in the Scotch Highlands, there would be but one narrow ridge to pass over, for if the Rio San Juan in a great part of its course is from 30 to 40 feet deep, as is asserted, it would require to be rendered navigable in some parts by means of lateral channels."

Page 275:

"Regarding Panama.—We think that more advantageous ports may be chosen; but we ought here to observe that the height of the ridge is an insuperable obstacle to the junction of the seas, when there is not at the same time a sufficient quantity of upper water fit to be conveyed to the point of partition."

Page 282:

"The Lake of Nicaragua may serve as an upper basin, like the Lake Oich in the Caledonian Canal, and regulating sluices will furnish as much water for the canal as it requires."

Page 283:

"The winds blow with sufficient force on the Lake of Nicaragua to render it unnecessary to tow the ships, which pass from one sea to the other, by means of steamboats."

THE UNITED STATES TAKES ACTION.

1825: The first official action by the United States was taken in reference to the Nicaragua route in response to the note of the minister of the Republic of Central America, Señor Don Antonio Jose Canaz, who addressed Secretary Clay in February, 1825, inviting the aid of this country in the construction of a canal by way of Lake Nicaragua.

To this note Mr. Clay replied, April 18, 1825:

"The idea has been conceived of uniting the two oceans by a canal navigation. The execution of it will form a great epoch in the commercial affairs of the world. The practicability of it can scarcely be doubted. Various lines for the proposed canal have been suggested and have divided public opinion. The evidence tending to show the superior advantages of that which would traverse the province of Nicaragua seems to have nearly settled the question in favor of that route."

1828: February 10, 1828, Mr. Clay wrote the chargé d'affaires, Mr. Williams: "What the President desires is to be put in full possession of such information as will serve to guide the judgment of the constituted authorities of the United States in determining in regard to it what belongs to their interests and duties."

The result of these negotiations was the organization of a company, composed of A. H. Palmer, Hon. De Witt Clinton, Hon. Stephen Van Rensselaer, Moncure Robinson, Hon. Edward Forsyth, C. J. Catlett, and others, to build the canal, and on the 16th of June, 1828, the company made a contract with the Central American Government for this purpose, but it failed to raise the money, and the concession passed to the King of the Netherlands, who was authorized to undertake the project, but was prevented by the disturbed condition at home. (The Nicaragua Canal, the Gateway to the Pacific, pp. 4-5; Warner Miller.)

The period from 1826 to 1838 was occupied in civil wars in Central America between the Jesuits, or church party, and the Liberals, or constitutional party. This war was bitter, fierce, and destructive. It resulted in the practical domination of the Jesuits.

A principal prize of these wars was the control of the transit route through the Nicaraguan lakes and the San Juan River. The war had resulted in the practical dissolution of the Central American Confederacy.

Professor Keasbey, of Bryn Mawr College, in his very able and accurate work on the Nicaragua Canal and the Monroe doctrine, writes about the canal enterprises that succeeded the Twelve years' war as follows:

"These independent States of the Isthmus were thus left in sole authority over their respective canal routes, and, like Spain and the Central American Confederacy before, each was still bent on exploiting its special natural monopoly to its own advantage. The Conservatives were now pretty generally in control throughout the Isthmus, and, as they had never been accustomed to look for support either from the Government or the people of the United States, each State began now to send its agents to the Catholic countries abroad in the hopes of interesting European companies in its special enterprise."

"Guatemala accordingly dispatched one of her bishops to Rome on this errand, while New Granada offered liberal concessions to a bubble French scheme launched by Messrs. Solomon & Co., for the construction of either macadamized roads, railways, or canals, across the Isthmus of Panama. Under this all-inclusive grant, surveys were instituted by a French engineer, Monsieur Morel, with the most startling results. After making some sort of a reconnaissance this visionary reported the discovery of a depression of only 10½ meters between Porto Bello and Panama, and on this fictitious basis worked out an elaborate canal plan for his company, giving mathematically exact and yet entirely imaginary figures and profiles."

"Nicaragua and Honduras then bestirred themselves as well, and together authorized another promoter, a Monsieur Rouchoud, to conclude some agreement with other French capitalists for the construction of a transit way within their territory."

"Louis Philippe, of France, was at this time at the zenith of his power, and being himself personally interested in the canal project, he was regarded by all promoters as an ideal patron for the great undertaking. The Solomon Company first enlisted the monarch's attention with its dazzling promises of a sea-level canal across the Isthmus of Panama at a ridiculously low cost. On the advice of his famous minister, Guizot, Louis Philippe at once sent one of his engineers, Napoleon Garella, to Panama to prove or disprove the correctness of Morel's remarkable report."

"Garella, unlike most of the French engineers who have examined the Isthmus, was thoroughly conscientious in his work, and the results of his surveys effectually quenched his monarch's former enthusiasm for the canal project. Morel's 'wonderful depression,' Garella found to be 123 meters 72 centimeters above the level of the sea, instead of the paltry 10½ meters reported; and the lowest pass in this region he could find measured 115 meters 20 centimeters. Garella admitted, indeed, the possibility of a canal across Panama, but insisted that its construction would necessitate 25 locks and a tunnel of 5,350 meters in length, involving in all, according to his lowest estimate, a cost of 200,000,000 francs, and this for a small canal to accommodate vessels of not over 600 tons burden. No wonder Louis was disheartened and lost interest in the project!"

"Thinking the opportunity now fit to interest the French monarch in the more favorable Nicaraguan route, Don Francisco de Castellon, Nicaragua's minister to France, not only offered Louis Philippe the exclusive right to construct a canal through the country, but furthermore proposed a French protectorate over the route. But Louis would have none of it, though Guizot, ever watchful over French interests, strongly admonished him against refusing the offer, lest Great Britain should step in and forestall him in the control of both Central America and the canal."

"Don Castellon then turned to Belgian promoters, and by liberal concessions succeeded at last in forming a company there and enlisting the patronage of the King. No money was forthcoming, however, and so the Nicaraguan conservatives, through another of their agents, M. Marcollet, Nicaragua's chargé d'affaires in Belgium, began to lay plans for enlisting the attention of Louis Napoleon Bonaparte, the rising star of European politics, who was then a political prisoner in the fortress of Ham."

"This enthusiast became at once mightily interested in the canal project, and it was soon arranged that he should be allowed to organize a canal company in Europe to be called La Canale Napoleone de Nicaragua. Upon his escape from Ham, on May 25, 1846, Napoleon proceeded at once to London, and there wrote his famous pamphlet on the canal question, in which he advocated the Nicaraguan route. The canal, as he laid it out, was to go up the bed of the San Juan, across the lakes, over the plains in the north, and down the valley of the Estero Real to the Gulf of Fonseca. Napoleon had grand ideas on the transit question, and a keen perception of the part it was destined to play in European and American politics."

"It may not be out of place, therefore, to quote his own words here:

"The State of Nicaragua can become, better than Constantinople, the necessary route of the great commerce of the world, and is destined to attain an extraordinary degree of prosperity and grandeur."

"France, England, and Holland have a great commercial interest in the establishment of a communication between the two oceans, but England has, more than the other powers, a political interest in the execution of this project. England will see with pleasure Central America becoming a powerful and flourishing State, which will establish a balance of power by creating in Spanish America a new center of active enterprise, powerful enough to give rise to a great feeling of nationality, and to prevent, by backing Mexico, any further encroachments from the north."

"This monograph of Napoleon's attracted widespread attention in Europe, and nowhere more particularly than in England. The Royal Geographical Society there had kept itself informed all along in regard to the surveys thus far made on the Isthmus, but in every case had been disappointed in the reports. As a result of these surveys the English were at least convinced in their own minds—and, in fact, Lord Palmerston had already so declared before Parliament—that a canal across the Isthmus of Panama was impossible. But when Napoleon's plans were presented to Admiral Fitzroy, Her Majesty's hydrographer, for detailed examination, he was more favorably impressed with this route and reported favorably to the Government."

"From this time on the British capitalists and their Government persistently kept their attention fixed upon the Nicaragua route and were never afterwards to be seriously influenced by either French or American schemes in Tehuantepec, Panama, or Darien.

"English interest in Nicaraguan affairs had in the meantime become aroused in quite a different but a much more practical way, as we have now to see. All canal projects up to this had been but dreams of enthusiasts or schemes of irresponsible speculators. Politics now began to enter into the question again, and its evolution became at once more interesting."

During this period, from 1825 to 1838, the British Government sought to establish colonies and possessions that would give her the military control of the strategic points in Central America. She took warnings from the declarations of Adams and Clay, in 1825, as to a waterway across the American Isthmus, and begun to exercise dominion at Belize and a protectorate over the Mosquito Indians along the eastern coast of Nicaragua, including the mouths of the San Juan River, contrary to the understanding of all maritime powers that Indian tribes in an independent American State were subjects of such States and could not make treaties with European powers.

In that act, followed by others equally as unjustifiable, Great Britain demonstrated her purpose to check the growth and the expansion of the United States and their commerce on the Western Hemisphere, and with wise forecast she selected the Nicaragua route as the only one that would guarantee her dominion of the seas, and rejected the Panama route as being impossible.

When our boundaries were extended to the Pacific, she was ready with the protectorate at the Lower San Juan River to block the way of access to our possessions in Oregon and California.

In these events the repression of the canal projects in the United States had their origin and their sway for more than fifty years through the Clayton-Bulwer treaty, which was, in fact, abrogated by the courage and statesmanship of William McKinley, in an act which politicians of his party have steadily endeavored to nullify, namely, the agreements with Nicaragua and Costa Rica of the 2d of December, 1900.

McKinley is gone, and this, his highest monument, is being torn down by iconoclastic hands, under delusions that are so wild and frantic that they suggest the vagaries of unbalanced powers of reasoning.

1838: Charles Biddle was sent to Nicaragua by President Jackson to inquire as to a canal through Nicaragua and to obtain concessions there.

The mission of Biddle having proved futile, citizens of the United States memorialized Congress, January, 1838 (Doc. No. 145, pp. 227), to open navigable communications between the two oceans by means of a ship canal across the Isthmus, and on March 2, 1839, Mr. Mercer's committee reported a resolution requesting the President (Van Buren) to ascertain the practicability of constructing a ship canal across the Isthmus, and of securing forever, by suitable treaty stipulations, the free and equal right of navigating the canal to all nations on payment of reasonable tolls.

1839 (Stephens): In compliance with this resolution the President sent John L. Stephens on a confidential mission to Central America. After a careful personal examination of the country and a critical study of the surveys of Lieut. John Baily, made for the Nicaraguan Government in 1837-38, he reported. Speaking of Nicaragua, he says: "I am authorized to state that the physical obstructions of the country present no impediment to the accomplishment of this work. A canal large enough for the passage of boats of the usual size could be made at a trifling expense." (P. 214, House Report No. 145, 30th Cong., 2d sess.)

He adds: "I would not speak of it with sectional or even national feeling; but if Europe is indifferent, it would be a glory surpassing the conquest of kingdoms to make the greatest enterprise ever attempted by human force entirely our own work" (p. 219). See also pages 224 to 226 for the statements of Humboldt's conclusions, taken from the American Quarterly Review, to wit:

"Of all these schemes, that by the Lake of Nicaragua seems to have offered most facilities and to have occupied the greatest share of recent attention," etc.

1840: From 1839 to 1842 the United States was occupied in settling the north-western boundary question with Great Britain, but the diplomatic conflict as to the conduct of Great Britain in the coast countries of the Caribbean Sea was conducted in a mild way.

FRENCH EFFORTS TO OPEN CANAL.

1844: In 1844 the Nicaraguan minister to Paris requested Louis Philippe to establish a protectorate and build the canal. As a consequence, after his escape from Ham on May 25, 1846, Louis proceeded to London and wrote his famous pamphlet favoring the Nicaragua route, in which he said: "The State of Nicaragua can become, better than Constantinople, the necessary route of the great commerce of the world, and is destined to attain an extraordinary degree of prosperity and grandeur."

When Napoleon's plans were presented to Her Majesty's hydrographer, Admiral Fitzroy, he reported favorably upon it to his Government. (Vide Kearsbey, p. 163, followed by British efforts to seize.)

THE CANAL SITUATION FROM 1845 TO 1852—THE PRACTICAL EFFECT OF THE CLAYTON-BULWER TREATY ON THE CANAL POLICY OF THE UNITED STATES.

The United States was committed by the Clayton-Bulwer treaty to the policy of constructing an isthmian canal through the organization and capital of private companies, and against the policy of Government control and ownership of such a canal, unless it should be in connection with Great Britain.

This was the question raised in the subsequent Frelinghuysen-Zalaya treaty, in which Mr. Arthur's Administration, following the lead of President Grant and Mr. Hayes's Administration, struck out boldly and without consulting Great Britain for the sovereign and unqualified right of the United States to make any treaty she might choose with the sovereign Republic of Nicaragua and Costa Rica without the consent of any other nation; and it was on that question that I concurred with President Arthur, and I still occupy that position. It was on that rock that Mr. McKinley anchored the foundation of the monument of his noblest fame, with a courage and honesty that shows my successor and his late worshiper, who now defame his memory with the suggestion that he followed an illusion and that his loftiest ideal "did not mean business." They now present the business end of the canal question, and the country is already writhing under the sting of the hornet.

The proposition can not be disputed or ignored that the United States is fully committed to the policy of the sole, exclusive, and perpetual right to own, control, and regulate any isthmian canal that is to be constructed under our laws enacted by Congress with the money of our people, and this commitment is confirmed and made conclusive by the ratification of the Hay-Pauncefote treaty.

1849: On February 28, 1849, Hon. J. A. Rockwell reported to Congress in favor of a canal, and on the 17th of March Messrs Brown & Co. organized to build one at Nicaragua. Another company was organized the same year, September 23, by Cornelius Vanderbilt, Joseph L. White, and others, under the name of the American Atlantic and Pacific Ship Canal Company,

for the same purpose, under the Hise treaty, which was signed June 21, but not ratified because of foreign intervention. Tigre Island was seized, and the Squier negotiations were likewise set aside by the powers which concluded the Clayton-Bulwer compact. The discovery of gold in California led to the construction of the Panama Railroad by citizens of the United States and to the formation of the Accessory Transit Company, via Nicaragua, under the management of Commodore Vanderbilt.

WORK BEGUN UNDER THE VANDERBILT CONCESSION—INSTRUMENTAL SURVEYS.

1852 (Childs): In March, 1852, after a careful physical survey of the Nicaragua route for Vanderbilt, Col. O. W. Childs, C. E., submitted his report on the practicability of the project. This report has been confirmed by the many subsequent scientific investigations which have been made by governments and private parties. In the letter of instructions Colonel Childs was given full authority to select the best route in these terms:

"The company do not wish to limit you in your examinations. They wish the most feasible line that exists for the canal from ocean to ocean surveyed and located, and if these can not be done in the manner pointed out, do them in any other."

As a result of his careful surveys Colonel Childs reported in March, 1852, in favor of a ship canal across the Isthmus via the San Juan River, Lake Nicaragua, and the Las Lajas and Rio Grande, to Brito on the Pacific, as being the best and most practicable, and this is the route now recommended by the many scientific commissions, after investigations covering about fifty years and including every possible element of calculation and exploration affecting the routes across the American Isthmus. As in the subsequent work of the Maritime Canal Company, the enterprise and pluck of private citizens of the United States have done more to secure an American isthmian canal than the Government has done or ever can or will do.

The Childs report was approved by Colonel Ebert and Major Turnbull, of the United States Topographical Engineers, to whom it was referred, as being entirely feasible, but the canal was not dug because of financial difficulties and the confiscation of the transit way by Gen. William Walker, who had invaded Nicaragua and declared himself President.

On the 16th of July, 1852, the English experts, to whom the Government referred the Childs report (Colonel Aldrich, of the Royal Engineers, and Mr. James Walker, C. E.), also approved it, but recommended its enlargement, which increased the cost and difficulty of financing the project.

THE BEGINNING OF ACTIVE WORK BY THE UNITED STATES.

1845 to 1848: The result of the war with Mexico forced the United States to take up the isthmian canal question as a measure of protection and of governmental and commercial necessity.

President Jackson, who was very strict in his views of the powers of Congress as to work of internal improvement by the General Government, had foreseen these national necessities when peace prevailed, and committed his Administration to the duty of providing for them by sending Charles Biddle to Nicaragua in 1838 to obtain concessions from that Government. He went to Panama instead, and converted his public mission into a private speculation, in the effort to get concessions for himself from Panama.

Jackson's policy came to the front again, as an imperative necessity, in the period of 1845 to 1848.

In 1845 Texas was annexed, and Great Britain proceeded to strengthen her hold on the mouths of the San Juan River, and we began mildly to protest.

In 1846 we were at war with Mexico. In the same year we opened negotiations with New Granada (afterwards called Colombia) for rights of way across the Isthmus at Panama.

The twelve years' war had prostrated that Government. It was a church war between the Jesuits and the Liberals, and the loss of the State of Panama was the crux of the issue. To get certain rights of way for our people and commerce and certain advantages that a New York company sought, of which Totten was the head, the United States agreed to guarantee the neutrality of the transit routes, then contemplated, and to guarantee the sovereignty and ownership of New Granada over the State of Panama.

This unprecedented guaranty of the sovereignty of a foreign power over one of its own states stands as a memory of our purpose to checkmate British policy in the American Isthmus, at any expense of principle, and of the constitutional attitude of the great American Republic.

When this treaty was ratified by our Senate in 1848 the railroad concession to Totten was under consideration by Colombia and was ratified in June, 1850. It was in existence when the Clayton-Bulwer treaty was ratified, but no work had been done under it. Whether it was annulled by Article XVIII of the Clayton-Bulwer treaty, so far as the United States is concerned, may be an open question, as Lord Lansdowne has intimated to Mr. Hay, his point being that "Central America" in the Clayton Bulwer treaty is not a political definition of the scope of that treaty, but a geographical description that includes all of isthmian America.

Here may be room for another Alaskan boundary dispute.

1849 to 1852: Elijah Hise, a consul, concluded a treaty with Nicaragua, the best canal treaty we have had with that Government, which was held by Mr. Clayton as a threat over Great Britain, but was destroyed by the Clayton-Bulwer treaty.

This treaty was concluded June 21, 1849. Mr. E. S. Squire was sent out to supersede Mr. Hise, and on the 23d of September, 1849, he signed a treaty with Nicaragua, nearly as comprehensive as that negotiated by Mr. Hise, and obtained a concession for broad canal rights from Nicaragua for the Vanderbilt company, of New York.

This treaty was also destroyed by the Clayton-Bulwer treaty, but the concession was recognized in that treaty.

In submitting the Squire treaty to the Senate for ratification, March 19, 1850, President Tyler calls attention to the fact that England had taken possession of about half of the Nicaragua route, which he characterized as the most eligible route for a ship canal to our territories on the Pacific. (Vide Richardson's Public Papers.)

FRELINGHUYSEN TREATY.

The Frelinghuysen-Zalaya treaty was the most important act of the President of the United States relating to the policy of the Government since the Clayton-Bulwer treaty, which it reversed and ignored as if it had no existence. It was the turning point in a great national policy of perfect independence in our dealings with the subject of an isthmian canal. It therefore should receive careful consideration.

It followed the policy and the attitude of the Government, as shown in the terms of the two treaties with Colombia, for canal concessions at Panama before we had surveyed that route—one of them concluded by Mr. Cushing, under President Johnson; the other by General Huriburt, under General Grant, as I have already said.

In these treaties we demanded and obtained a canal zone 20 miles wide under our exclusive and perpetual control, and all the rights granted were to be "permanent and indefeasible" and subject to the military control of the United States.

In all our declarations made by Presidents, Secretaries of State, commissions, and by resolutions of Congress, down to the time of the conclusion of

the Frelinghuysen-Zavala treaty, and in the treaties concluded by Hise and Squires before the Clayton-Bulwer treaty was ratified, we announced firmly and without evasion that the United States would supply the money, build, own, control, and protect any canal built by that Government on any part of the American Isthmus. This was and is the true American doctrine. I think it important that this great fact should be kept in mind.

This national attitude being established on the part of the United States with reference to the Nicaragua route, to which alone the Clayton-Bulwer treaty applied, I will now invite the attention of the Senate to some contemporaneous conditions at Panama.

THE MODERN ENTERPRISE OF OPENING THE BARRIERS OF SUEZ AND THE AMERICAN ISTHMUS BETWEEN THE GREAT OCEANS.

Napoleon I, in his campaign in Egypt, projected the reopening of the canal from Port Said to Suez, and left an officer in charge of the exploration.

In 1847 France, England, and Austria sent out a commission to make a survey, which reported favorably. Mr. Robert Stephenson, of England, disented on the ground that the desert sands would fill up the canal.

In 1854 Said Pasha granted a concession for this canal to M. de Lesseps. In 1858 the company was formed, which voted to Egypt 15 per cent of the tolls. The capitalization was 200,000,000 francs, afterwards, in 1867, increased by loans of 100,000,000 francs. The canal is 100 miles long. Its width, when dug, was 72 feet at bottom, and the depth was 26 feet. It was opened officially November 17, 1869, and was practically constructed in eleven years.

In 1875 Great Britain purchased the shares of the Khedive of Egypt, being 177 out of 400 shares, for \$20,000,000.

Great Britain opposed the construction of the canal, but in six years after it was opened she owned an interest in it that since that time has controlled it.

This great work was an established success while the civil war in the United States was at its height, and the whole world turned its attention to this triumph of the arts of peace in the Eastern Hemisphere.

The United States looked on anxiously and, as soon as French and Austrian power was dislodged from Mexico, after the close of the civil war, the great leaders in our country renewed the effort to open a canal through the American Isthmus.

President Grant took this task upon his Administration, and never abandoned it while he lived. He and Mr. McKinley advocated and supported the Nicaragua Canal to their latest breath.

THE DEFIANT CHANGE OF OUR CANAL POLICY IN CONCLUDING THE FRELINGHUYSEN TREATY.

Mr. Frelinghuysen had just come from his earnest debate with the British foreign secretary as to the Clayton-Bulwer treaty when he determined to assert the rights of the United States and of Nicaragua against the prohibitions of the treaty, and to show to Great Britain that he had the support of the great majority of the American people, and he made his famous treaty with Zavala.

That fact was demonstrated by the vote in the Senate on the question of ratification. The treaty was debated, with little intermission, from early in December, 1883, to the end of January, 1884, when it wanted but a single vote of being ratified by a majority of two-thirds of the Senate. In a vote of 56 Senators it seldom occurs that there is a majority of 9 Senators in favor of any great measure.

As representatives of the people, those votes of Senators indicated that nearly two-thirds of the people were in favor of the Panama route, even if it should give offense of a serious character to Great Britain. In the rejection of the two treaties with Colombia in 1830 and 1871 the like indication was that the people by a like large majority were opposed to the Panama route, although the treaty had been concluded with the approval of the President, and although these treaties contained the grant of the exclusive and perpetual right to own, control, and protect a canal at Panama.

MR. CLEVELAND'S COURSE.

These three conclusive demonstrations of the will of the people in favor of the bold and patriotic stand of Mr. Arthur and Mr. Frelinghuysen in favor of Nicaragua and against Panama should have put that question at rest forever.

Instead of that, Mr. Cleveland took the matter into his own hands, and on the 5th of March, 1885, the day after his first inauguration, he withdrew the treaty from the Senate, when a motion for the reconsideration of the vote by which it had failed of ratification by one vote was pending.

The power of the President to withdraw a treaty from the Senate without taking a vote of that body on a motion for leave to withdraw is a proposition that can not be maintained, nor is it free from danger to the Republic; but the power was exercised by President Cleveland for the following reasons, stated in his message to the Senate, in which he says:

"Maintaining as I do the tenets of a line of precedents from Washington's day which proscribe entangling alliances with foreign states, I do not favor a policy of acquisition of new and distant territory or the incorporation of remote interests with our own. Therefore I am unable to recommend propositions involving paramount privileges of ownership or right outside of our own territory, when coupled with absolute and unlimited engagements to defend the territorial integrity of the states where such interests lie. While the general project to connect the two oceans by means of a canal is to be encouraged, I am of the opinion that any scheme to that end, to be considered with favor, should be free from the features alluded to."

This doctrine is the reverse of all the declarations of Mr. Cleveland's predecessors who have spoken on the subject, including Jefferson, John Quincy Adams, Jackson, Polk, and Pierce, and has been condemned by every vote the American people have ever given on such a subject.

Its effect upon the isthmian canal question was the reaffirmation of all the provisions of the Clayton-Bulwer treaty, which was the actual question involved in the debate on the Frelinghuysen-Zavala treaty, and to reinstate the hopeless task of building an isthmian canal as a private enterprise, under the control of a corporation.

Our people of the South were not disheartened even by this tremendous blow, delivered from an arm to which they had given its only strength. The South, still prostrate from the wounds and starvation of a long and fierce civil war, felt the foot which they believed they had shed "with the preparation of righteousness" when it trampled upon their necks. They shuddered, but did not despair, and still looked for deliverance and worked for it.

MARITIME CANAL COMPANY.

From New York to Richmond, the men who had the courage put their slender means into a company to build a canal through Nicaragua and Costa Rica, to the amount of \$4,500,000, and obtained liberal concessions. They organized a construction company under a concession from Nicaragua and went to work in good faith and with high hopes of success. They were encouraged by members of the Administration—notably by Hon. Wm. C. Whitney, Secretary of the Navy.

Several such companies had been formed, but they did no work.

Mr. Menocal was chosen as their agent to obtain concessions from Nicaragua, and he succeeded. The Maritime Canal Company had in its stockholders a class of men that were nearly all men of honorable national distinction.

The association afterwards asked that leave of absence be given Mr. Menocal, who was a naval officer, to act as the chief engineer of the canal. Secretary Whitney, in granting the leave, wrote as follows:

"The leave is asked for to enable Mr. Menocal to act as chief engineer of the Nicaraguan Canal. His services are really necessary to the undertaking, such has been his prominence in connection with it in the past, otherwise I would not grant the request, but in view of the public importance of the enterprise to our country it is entirely fit to give any assistance in our power."

"W. C. WHITNEY."

The charter of the Maritime Canal Company to execute this concession was afterwards granted by Congress on the basis of American control of the canal by authority of the Congress of the United States, in accordance with the concessions made by Nicaragua and afterwards by Costa Rica, which were also made public statutes of those Governments, and were so declared.

This act was approved by President Cleveland, notwithstanding it created "entangling alliances" with Nicaragua and gave Congress supervision over that State as a stockholder in the Maritime Canal Company.

Mr. Menocal in 1880 had made a resurvey of the Childs and Lull routes for the Provisional Canal Society, which was his second survey. On the 15th of December, 1894, Mr. Chandler, Secretary of the Navy, sent Mr. Menocal out to survey the canal route for the Government. He made a survey more in detail than any that had preceded it, completing the work in April, 1885, which was reported to the Secretary of the Navy in 1885. This was his third survey of the Nicaragua route. Each survey reaffirmed the feasibility of the canal, as established by Childs, on either of seven plans of construction recommended by engineers, varying as to dimensions, the lockage, and the cost.

SUEZ CANAL PROFITS.

When the Maritime Canal Company was chartered by act of Congress, Great Britain was receiving very large profits from stock she had purchased from the Khedive of Egypt in the Suez Canal.

The following table, prepared by our Bureau of Statistics, will show the value of the Suez Canal, as an investment, during the last thirteen years. That stock is now worth 800 per cent on the Bourse in Paris:

Receipts and expenditures for the years 1891-1902.

Years.	Total receipts.	Transit receipts.	Expenditures.	Net receipts.
	Francs.	Francs.	Francs.	Francs.
1891	86,866,914	83,422,101	26,275,021	50,591,893
1892	77,809,781	74,452,438	41,728,544	36,081,237
1893	78,579,992	70,667,361	35,964,455	40,615,537
1894	76,951,154	73,776,827	24,028,729	52,922,425
1895	80,702,787	78,103,717	25,635,307	55,067,480
1896	82,222,855	79,599,994	25,913,806	56,309,049
1897	75,607,029	72,830,545	24,490,921	51,116,108
1898	87,906,255	85,294,709	24,464,268	63,441,987
1899	94,317,505	91,318,772	24,863,166	69,454,339
1900	93,451,403	90,623,608	25,648,264	67,803,139
1901	103,121,726	100,386,397	28,445,999	74,675,727
1902	106,849,760	103,720,020	30,238,741	76,551,019
1903 to October 8		77,770,000		

"As against 80,820,000 francs for the corresponding period in 1902

Our Bureau of Statistics has no complete data as to the earnings of the Suez Canal earlier than 1891.

The net profits in 1902 were 17 per cent on the capital, computed on the basis of the net earnings after all expenses, including the deepening and enlargements of the canal, are deducted as current expenses.

After thirty-four years of operation we can safely calculate on an equal percentage of profit on an isthmian canal that is open, with like advantage to sailing vessels and steamships. We can do this even if we lower the tolls to half the amount collected by the Suez Canal, for the tonnage must be very much greater on the American canal. But with the same tonnage and tolls and with net dividends of even 5 per cent on \$200,000,000, our canal would earn \$10,000,000 net every year.

The rejection of the Frelinghuysen-Zavala treaty was a reaffirmation of the Clayton-Bulwer treaty that seemed to confirm her power to rule the future destiny of the United States as her subordinate in commercial pursuits, and the Maritime Canal Company was intended to work in conformity to our low estate.

It can not be necessary to go further to show the interest of Great Britain in saving the Suez Canal the great power it gives her in her boasted dominion of the seas in commercial and war vessels. Yet if we look deeper into this matter we must see that the profit, in cash, as dividends in her stock in the canal, is a small part of her actual advantage in the control she exercises over it in the board of management as a stockholder.

Her army in Egypt, placed there to protect the canal and her line of communication with India and Australia and her western possessions on this continent, is also intended to assert military dominion over the canal, on a line from Cyprus to Aden and on to India.

France was strongly disposed to contest this domination of Great Britain for less important reasons, but concluded that "prudence was the better part of valor," and turned her attention to Panama as the western gate to her commercial enterprise and her acquisitions in the Pacific and in China and Siam.

WHAT THE PANAMA CANAL COMPANY WAS DOING.

1880 to 1882: In the years 1880 to 1882 the Panama Canal Company was engaged in establishing its plant at Panama with a recklessness of expenditure that has characterized no other public work. Palaces were built on a sea marsh for De Lesseps and his son, where foundations were established by throwing into the marshes boxes of material and machinery bought for the canal and which had never been opened. Hospitals, at an enormous expense, were erected and were kept filled with sick officials and laborers. Contracts were made that were destructive of the financial interests of the canal; and, indeed, a wild orgy of waste and dissipation added thousands to the death list and thinned the labor supply, until the price of labor became a heavy drag on the progress of the work and few could be found to labor.

THE EFFECT OF OUR CIVIL WAR ON AMERICAN CANAL ENTERPRISE.

1864 to 1871: From the death of President Lincoln, April 14, 1865, to the accession of President Grant in 1869 the country was in a convulsion of political disturbance over many great questions. But the interest of the Government in the isthmian canal was scarcely affected by these perilous conditions. But our attention was directed more especially to the building of the Union and Central Pacific railroads, which were begun at the close of the civil war.

President Johnson, seeking to avoid the incubus of the Clayton-Bulwer treaty, which he held as not being applicable to the isthmian region in Colombia, sent out an expedition that recommended the Nicaraguan route as being practicable and advantageous to the country.

TREATIES WITH COLOMBIA MADE BY PRESIDENT JOHNSON IN 1868 AND BY PRESIDENT GRANT IN 1870.

Mr. Seward, when he was Secretary of State, was anxious to enlarge the scope and to include specific canal concessions in the treaty of 1846-1848 with Colombia, knowing that treaty did not confer upon the United States any right to construct or own a canal or railroad on the Isthmus of Panama, and he sent Hon. Caleb Cushing as minister to Colombia, in 1868, to negotiate such an amendment to that treaty.

Mr. Cushing found the Jesuits in control of the Colombian Government, but the Liberals were in the popular majority in the Republic, and he believed they would regain power at an early date. He awaited that event, and in 1869 he concluded a treaty with Colombia under which the United States were to have the sole right of constructing a canal within the territory of Colombia, and for this purpose the Colombian Government was to reserve a strip of land across the Isthmus for the canal route itself and 10 miles on either side.

This was the first canal zone ever projected, and such a zone, with the right of our Congress to legislate for its municipal government, is the necessary corollary to the right of sole ownership and control of the canal by the United States in any foreign country.

To this great American jurist and publicist the world owes the plan that some day will give trouble in Egypt, for the want of such a provision for governing the Suez Canal by the Government that owns the controlling interest.

In Mr. Cushing's treaty the improvement of the value of lots to be held by each Government, in equal alternate parcels, was the chief consideration of the concession.

The canal was to be constructed by the United States Government, and its government and control was also to remain in our hands, and for that purpose our Government was authorized to employ military forces if the occasion should arise.

Colombia was still to retain the "political sovereignty and jurisdiction over the canal and territory appertaining thereto," but only with the proviso that she should not only allow but guarantee to the United States of America the peaceable enjoyment, control, direction, and management of the same; and in conclusion it was declared "that the political obligations herein assumed by the United States of America and the United States of Colombia are permanent and undefeasible." This is just the reverse of the provision of Article IV of the Hay-Concha treaty and the Hay-Herran treaty.

On the 15th of February, 1869, this treaty was sent to the Senate by the President, and it was rejected by that body as being "inadequate."

Mr. Cushing anticipated our present embarrassment under new counsels, but he is out of date—a back number—and I claim the honor of sharing with him the recent criticism of the envoy extraordinary and minister plenipotentiary of the Republic of Panama, just arrived from his native and beloved France, and creditor of the Panama Canal Company and legitimate successor of the king of the Mosquito tribe of Indians, who had interested their enmity toward Nicaragua, has informed the world that I am also out of date as to my information about canal facts.

In 1869, General Grant being President, negotiations with Colombia were again opened by Mr. Fish, Secretary of State, for canal concessions at Panama. He appointed Gen. Stephen A. Hurlburt, the military companion and trusted friend of President Grant, as minister to Colombia, especially charged with this negotiation.

On January 26, 1870, General Hurlburt signed a treaty with Colombian authorities which conferred on the United States the same rights, substantially, with that negotiated by Mr. Cushing. It granted to the United States the right of constructing and operating a canal within the territory of Colombia, but it looked to an international military control of the canal and its zone.

Mr. Fish submitted that treaty to the Senate for ratification or amendment, but was not thoroughly satisfied with its provisions. It was also amended by the Colombian Congress after it had been signed.

The Suez Canal, which had been under construction since 1860, was opened in 1869, and De Lesseps sent out his prospectors at once to examine the Panama and Nicaragua routes for a canal. The Colombian people were moved by French enthusiasm to the conviction that France was the country to rely upon for a canal, and they became indifferent to the Hurlburt treaty, which was rejected by our Senate.

These treaties were far more favorable to the United States than that which the Colombian Congress has recently ignored, and has suffered to perish through its own provisions as to the date of its ratification by the Colombian Congress. Some Colombians still hope for a new treaty with a larger dot for the bride-elect, but she was suddenly found to be ineligible for the union with Uncle Sam, because the Panamistas had married her secretly to the New Panama Canal Company. The marriage contract was drawn by Mr. Cromwell, and all preparations were notified to our President, who was to be the godfather to the heir apparent. Señor Don Bruno-Varilla was chosen as minister plenipotentiary to attend the christening. Things had gone too far to be recalled, and the President, on the question of "decency," could only quote Uncle Toby's excuse, that "the baby was very small."

After our Senate had refused to treat with Colombia even on terms that were satisfactory to Mr. Fish and President Grant, before any instrumental survey of the Panama Canal route had been made, General Grant resolved to have all the supposed canal routes examined by a commission of the leading engineers and experts of the United States, so as to get exact information as to their relative merits.

When they were reported they disposed of the Panama route as not being of any interest to the United States as an investment or as an instrumentality of government, and it was left to Colombia to work out the Panama scheme with the money of the French people as best she could.

A scrutinizing watch was kept upon the progress of the Panama Canal Company and of France to prevent that Government from assuming any control of that project.

When that company got into financial troubles and called on France for legislative assistance, by granting authority to it to raise money by a lottery, the movement was strong and decisive in both Houses of Congress to warn France that such interference would be regarded by the United States as "an unfriendly act."

France desisted for the time and disclaimed any purpose of exerting its powers to aid that company, and our Secretary of State, Mr. Evarts, expressed his satisfaction and the incident was closed. The proceedings of the Houses on this matter were presented to the Senate in reports of its committee. France has not kept this pledge, as appears from the record, but the collapse of that company prevented the necessity of a diplomatic inquiry into the subject.

THE CONCURRENCE OF GREAT EVENTS.

1869: In 1869 the Suez Canal and the Union Pacific Railroad were both opened and General Grant was elected President, thus giving a new and more vigorous impulse to the American canal. To supply any deficiencies in the

data he sent Commander Selfridge to make further explorations on the Isthmus in 1870, and at the same time dispatched Captain Shufeldt to Tehuantepec and Commander Lull to Nicaragua for the same purpose. Lull was accompanied in these surveys as well as those at Panama in 1875 by Commander A. G. Menocal, civil engineer of the Navy, whose researches have been more extensive and thorough than any other engineer. (For a detailed statement of the several surveys see "The Panama Canal," by J. C. Rodriguez, pp. 19 to 26.)

In his report, dated October 29, 1870, Commander Selfridge says (p. 24): "For these reasons, arrived at after careful investigations, I consider the Darien route entirely impracticable for a ship canal," and on page 21 of the same report he concludes:

"Though the expedition of 1870 has not won the more glittering reward and distinction of finding a successful route for this great enterprise, still, in the elimination of three routes from among those to be surveyed in laying open the Isthmus of Darien, the interior of which has rarely been traversed by white men, and in doing away with the delusion that a pass exists in the chain of mountains that traverse its length they trust they have fully carried out the instructions and expectations of the Department."

ORIGIN AND PROGRESS OF THE DEVELOPMENT OF THE NICARAGUAN ROUTE AND OPINIONS AS TO ITS IMPORTANCE AND PRACTICABILITY—THE COMMISSION SENT BY PRESIDENT GRANT.

1871: In 1871 President Grant, in the second year of his first term, appointed Gen. A. A. Humphreys, then Chief of Engineers; Capt. Carlisle P. Patterson, the Superintendent of the Coast Survey, and Admiral Ammen, of the Navy, a commission to compile and report upon all the canal data available. The commission called to its aid Major McFarland, of the Engineer Corps; Captain Heuer, of the Engineers, and Prof. Henry Mitchell, of the Coast Survey, who made a personal examination of the principal routes in question, in company with Gen. Jacob Ammen, Capt. J. W. Miller, and Mr. S. D. Walton, C. E.

The preliminary report of this commission led to a closer instrumental survey of the Isthmus of Panama, which was conducted by Commander Lull, assisted by Mr. A. G. Menocal as chief engineer. Lieutenant Collins was also sent to the Isthmus to report further on the Atrato-Napipi route. All of these surveys were completed before the close of the year, and on February 7, 1876, the final report was submitted, reading as follows:

"To the President of the United States:

"The commission appointed by you to consider the subject of communication by canal between the waters of the Atlantic and Pacific oceans across, over, or near the Isthmus connecting North and South America have the honor, after a long, careful, and minute study of the several surveys of the various routes across the continent, unanimously to report:

"That the route known as the 'Nicaragua route,' beginning on the Atlantic side at or near Greytown and extending to what is known as the port of Brito, on the Pacific coast, possesses, both for the construction and maintenance of a canal, greater advantages and offers fewer difficulties from engineering, commercial, and economic points of view than any one of the other routes shown to be practicable by surveys, sufficiently in detail to enable a judgment to be formed of their relative merits, as will be briefly presented in the appended memorandum. * * *

"We have the honor to be, with great respect, your obedient servants," etc. Thus, after four years of investigation, supplemented by Lull's surveys in the field, under the direction of the United States, this high tribunal concluded that the best and most practicable route was the one via Lake Nicaragua. (See Appendix A of Sullivan's report, p. 143. Also "The Gateway to the Pacific," Maritime Canal Company pamphlet, p. 9.)

No abler, more impartial, or trustworthy commission than this has ever considered or reported upon any fact or feature of this great subject of the best route for an isthmian canal.

Consulting engineers of the great transcontinental railroads may whisper to the President their dissent to this report, but they have not dared to give open and manly expression to such statements.

The persistent efforts of the French people, based upon the prestige of De Lesseps and the action of the Paris Congress of 1879, in deciding to push the work at Panama, finally awakened the Congress of the United States to further activity in the form of resolutions, reports of committees, and commissions for more information, resulting in the assignment of Lieut. John T. Sullivan, of the Navy, to compile another report, which was not submitted until 1883, and contained no recommendations, but the facts ascertained were fully confirmatory of the report of the Humphreys commission.

The report was not, however, transmitted to Congress, General Grant's term having expired, until it was called for by resolution of April 15, 1879. It was then transmitted on the 18th, without comment or recommendation.

Mr. MORGAN. Mr. President, I urge no objection at all to the passage of the pending resolution.

Mr. HANNA. Mr. President, I can not let the opportunity pass without challenging a portion of the statement of the Senator from Alabama [Mr. MORGAN] with reference to the policy of the late President McKinley regarding this canal question. If I understood the Senator correctly, he stated that President McKinley up to the time of his death was in favor of the construction of an interoceanic canal by the Nicaragua route, and that had he lived no doubt a policy would have been carried out resulting in the construction of the canal by that route.

I desire to state that in 1899, when for the first time it came to his knowledge that the Panama Canal Company's property could be purchased, President McKinley seriously considered the proposition; he investigated the question, and the result was that he asked this body, through the instrumentality of the Committee on Commerce, to report an amendment to the river and harbor bill appropriating the sum of \$1,000,000 for the further investigation of all routes on the Isthmus, with a view of constructing an isthmian canal.

What I say I say from personal knowledge, obtained in personal interviews with the late President as to his ideas and as to his future policy. He became so impressed with the importance of this question and the eligibility of the Panama route that he determined, as far as lay in his power, to have a full knowledge of all the routes, and in his recommendation to Congress that was his sole purpose and desire.

After the appropriation was made and he had obtained authority to appoint a commission, through frequent conferences

with him personally, as I was a member of the committee having charge of the subject, I knew of the interest he felt that all possible routes across the Isthmus should be thoroughly investigated, and in the selection of that Commission he was extremely careful. He took plenty of time, diligently inquired into the reputation and fitness of every man who was considered for a place on that Commission, and when the personnel of the Commission was completed he felt that as far as lay in his power he had done his whole duty to secure the aid and advice of the best talent which the country afforded for such a purpose. It was his intention, so far as his policy was concerned, to be guided by the report of that Commission.

As to the alleged change of policy after the death of President McKinley, the present Executive has made no change, because President McKinley had decided to follow the advice which might be given by the Commission of his own creation as to the ultimate route to be established in the construction of that canal.

I make this statement because I am unwilling under the present situation that such statements as have been made by the Senator from Alabama should go before the country when I know to the contrary.

Mr. MORGAN. Mr. President, the Senator speaks from personal conversations with President McKinley, which I have no opportunity in the world of testing in any form. I had no personal or political intimacy with President McKinley that would have justified me in asking him his private opinions upon any question. I go upon his record—his public record—and his public record was that he did, in 1899, recommend the appointment of this Commission; that on November 30, 1900, the Commission made their report to him, and that on the next morning he made the agreement—the solemn compact with Nicaragua and Costa Rica. Therefore he had become convinced of the correctness of the report of this Commission which he had selected with such great care in the effort to secure wise, just, honorable, and upright men, so that he could afford to stand on what they said. No Panama canal company had intervened at that time, except with certain temptations, which he scoffed at and scorned. He thereupon took matters in his own hands, as a great and good man ought to do, and decided it by a protocol, which was just as obligatory as the protocols under which he decided all the questions of the great Chinese imbroglio.

Mr. HANNA. Mr. President, in reply to that statement, I have only to say, in confirmation of what I have said before, that President McKinley was willing to abide by the decision of the Commission. On the first report of that Commission, when the price for the property of the Panama Canal Company was fixed at \$104,000,000, it was decided to stand by the report in favor of Nicaragua. But when it is said that President McKinley thought that the Nicaragua Canal route was the better route, I know to the contrary. It was the question of price and the conditions under which that price was made to this Government that led to the protocol of which the Senator speaks.

Mr. MORGAN. The Senator can not get up a personal issue with me about this matter. I have not stated what Mr. McKinley said, except what he said on the record. The Senator has stated things that nobody ever heard of but himself. I do not take issue with his statements so far as they do not take issue with what I have stated.

Mr. HANNA. If the Senator will permit me, then, I want to go before the country as making this statement upon my own responsibility.

Mr. MORGAN. You are welcome to do that.

Mr. HANNA. All I ask is to have the statement go before the country.

Mr. MORGAN. I have no objection to that. I go on President McKinley's record, and the Senator goes on what President McKinley stated to him privately, neither being in contradiction of the other.

Mr. SPOONER. Before the Senator from Maine [Mr. HALE], who has charge of this resolution, left the Chamber he requested me, when the Senator from Alabama [Mr. MORGAN] had concluded, to ask that the resolution go over until to-morrow immediately after the routine morning business, and he also asked me to make the same request as to the motion which is pending, made by him, to reconsider the vote by which the resolution introduced by the Senator from Nevada [Mr. NEWLANDS] inviting Cuba to become a State was sent to the Committee on Relations with Cuba.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Is there objection to the request made by the Senator from Wisconsin?

Mr. GORMAN. Of course I am taken by surprise at the suggestion made to postpone the adoption of the resolution in regard to the appointment of committees. For reasons which Senators will understand perfectly the postponement of the consideration of the resolution until to-morrow might possibly, in the event of

a single objection being then made, take this matter over until a very late day, which would be a matter of great injustice to those gentlemen who have been recently assigned to committees. It is well known that under a resolution, which was rather extraordinary, the committees of the last Congress were continued; that they are acting; that the minority, at least, of this body have only been made assignments on this list, and that, while in one or two cases Senators are acting on committees, they are doing so only by sufferance. It may be, unless we can have unanimous consent that this resolution shall be voted on to-morrow and without objection from anybody—

Mr. SPOONER. If there is the slightest doubt about that I hope the Senator from Maryland will ask unanimous consent that the resolution be voted on to-morrow, or I shall do so.

Mr. GORMAN. I trust that that will be done; otherwise it would leave gentlemen who have been assigned places on committees really without authority to act for the next eight or ten days.

Mr. SPOONER. If the Senator will yield to me for that purpose—

Mr. GORMAN. Will the Senator pardon me a moment further? I do not believe there is the slightest question about the committees themselves. Assignments have been made by each side of the Chamber, and there is no controversy about any place except one, which we are not asking to have a vote on specifically; but under conditions which we all understand I had hoped that the matter would be disposed of to-day. It is due to Senators on both sides, I believe, and unless there is some real reason to the contrary I confess I think the matter ought to be disposed of at the moment; but if not, it certainly ought to be understood that the vote will be taken to-morrow without objection, and that I know is an extraordinary and unusual request.

Mr. SPOONER. Mr. President, what the Senator from Maryland [Mr. GORMAN] has said makes it proper that I should say this much: The Senator from Maine [Mr. HALE] sent to me in the cloakroom and said he was unexpectedly obliged to leave the Chamber, and as additional resolutions needed to be presented in connection with this matter were not prepared, he requested me, when the Senator from Alabama had concluded his remarks, to ask that the matter go over until to-morrow. I do not suppose there is in the mind of anybody the slightest controversy or thought of the possibility of controversy or delay, and I ask unanimous consent of the Senate—because I quite agree with the Senator from Maryland—that to-morrow, at the conclusion of the routine morning business, the resolution be taken up and voted upon.

Mr. BACON. I should like to ask the Senator if he means by that that the resolution be voted upon without debate? Does he mean by that to cut off any suggestion of any kind?

Mr. GORMAN. There are no suggestions.

Mr. BACON. The Senator from Maine might desire to make some.

Mr. SPOONER. I ask that the resolution be voted upon before the Senate adjourns to-morrow.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Wisconsin, that before the adjournment of the Senate to-morrow a vote be taken on the resolution appointing committees? The Chair hears none, and it is so ordered.

Mr. SPOONER. I made a further request that the motion to reconsider the vote by which the joint resolution inviting Cuba to become a State of the American Union was referred to the Committee on Relations with Cuba lie over until to-morrow.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Wisconsin? The Chair hears none, and the motion to reconsider will lie over.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. KEAN. I ask unanimous consent to submit at this time a report from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. In the absence of objection, the report will be received.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Vermont [Mr. PROCTOR] on the 23d instant, to report it without amendment, and I ask unanimous consent for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Military Affairs be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee, and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing, or expenses that may already have been incurred for these purposes during the Fifty-eighth Congress, shall be paid out of the contingent fund of the Senate.

EXECUTIVE SESSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seventeen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 25, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 24, 1903.

PROMOTIONS IN THE ARMY—JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Edgar S. Dudley, judge-advocate, to be judge-advocate with the rank of colonel, November 22, 1903, vice Hunter, retired from active service.

Maj. George M. Dunn, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel, November 22, 1903, vice Dudley, promoted.

APPOINTMENT IN THE ARMY—INFANTRY ARM.

Corpl. Manfred Lanza, Fourth Battery, Field Artillery, to be second lieutenant, to rank from October 9, 1903.

TRANSFER IN THE ARMY.

Second Lieut. Henry W. Bunn, Tenth Infantry, from the Infantry Arm to the Artillery Corps, with rank from October 9, 1903.

APPOINTMENTS IN THE NAVY.

To be assistant surgeons in the Navy with the rank of lieutenant (junior grade), from the 7th day of June, 1900.

Thomas McC. Lippitt.
Barton L. Wright.
Ralph W. Plummer.
Henry E. Odell.
James S. Taylor.
Joseph A. Murphy.
John T. Kennedy.
Karl Ohnesorg.
Charles N. Fiske.

These nominations are made to correct an error in the date from which the officers named are to take rank, as confirmed on April 2, 1903.

PROMOTIONS IN THE NAVY.

Commander Charles T. Forse to be a captain in the Navy from the 11th day of October, 1903, vice Capt. Bowman H. McCalla, promoted.

P. A. Paymaster Walter T. Camp to be a paymaster in the Navy from the 29th day of October, 1903, vice Paymaster Stewart Rhodes, deceased.

First Lieut. John N. Wright to be a captain in the United States Marine Corps from the 3d day of March, 1903, vice First Lieut. William W. Low, who failed to qualify for promotion and was suspended for one year.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 24, 1903.

ASSISTANT SECRETARY OF THE TREASURY.

Charles H. Keep, of New York, to be Assistant Secretary of the Treasury.

CONSULS-GENERAL.

Herman R. Dietrich, of Missouri, to be consul-general of the United States at Guayaquil, Ecuador.

William R. Holloway, of Indiana, to be consul-general of the United States at Halifax, Nova Scotia.

William A. Rublee, of Wisconsin, to be consul-general of the United States at Vienna, Austria.

John W. Riddle, of Minnesota, to be agent and consul-general of the United States at Cairo, Egypt.

CONSULS.

Louis H. Aymé, of Illinois, to be consul of the United States at Para, Brazil.

Robert Woods Bliss, of New York, to be consul of the United States at Venice, Italy.

Theodore J. Bluthardt, of Illinois, to be consul of the United States at Barmen, Germany.

William Harrison Bradley, of Illinois, to be consul of the United States at Manchester, England.

Harlan W. Brush, of New York, to be consul of the United States at Milan, Italy.

Francis B. Keene, of Wisconsin, to be consul of the United States at Florence, Italy.

James A. Le Roy, of Michigan, to be consul of the United States at Durango, Mexico.

Clair A. Orr, of Illinois, to be consul of the United States at Barranquilla, Colombia.

Julian Potter, of New York, to be consul of the United States at Nassau, New Providence, Bahamas.

William P. Smyth, of Missouri, to be consul of the United States at Tunstall, England.

GENERAL APPRAISER OF MERCHANDISE.

Eugene G. Hay, of Minnesota, to be general appraiser of merchandise.

ASSISTANT APPRAISERS OF MERCHANDISE.

Harwood Huntington, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

Robert A. Olivier, of Louisiana, to be assistant appraiser of merchandise in the district of New Orleans, in the State of Louisiana.

COINER.

William J. Brophy, of Louisiana, to be coiner of the mint of the United States at New Orleans, La.

ASSISTANT UNITED STATES TREASURER.

Clarence S. Hebert, of Louisiana, to be assistant treasurer of the United States at New Orleans, La.

APPOINTMENT IN THE MARINE-HOSPITAL SERVICE.

Frederick C. Smith, of Minnesota, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

DISTRICT JUDGE.

Joseph A. Gill, of Indian Territory, to be judge of the United States court of the northern district of the Indian Territory.

PENSION AGENT.

Jesse B. Fuller, of California, to be pension agent at San Francisco, Cal.

COLLECTOR OF CUSTOMS.

Albert L. Pierce, of Mississippi, to be collector of customs for the district of Vicksburg, in the State of Mississippi.

PROMOTIONS IN THE NAVY.

Commander Charles T. Forse to be captain.

P. A. Paymaster Walter T. Camp to be paymaster.

First Lieut. John N. Wright to be captain in the Marine Corps.

POSTMASTERS.

ALABAMA.

Jesse W. Barnes to be postmaster at Andalusia, in the county of Covington and State of Alabama.

J. E. Tillman to be postmaster at Geneva, in the county of Geneva and State of Alabama.

CALIFORNIA.

Walter M. Avis to be postmaster at Pomona, in the county of Los Angeles and State of California.

GEORGIA.

Thomas W. Brimberry to be postmaster at Camilla, in the county of Mitchell and State of Georgia.

John W. Evans to be postmaster at Ashburn, in the county of Worth and State of Georgia.

Fred Feltham to be postmaster at Boston, in the county of Thomas and State of Georgia.

Cicero F. Harrison to be postmaster at Sandersville, in the county of Washington and State of Georgia.

Virginia W. Henderson to be postmaster at Oxford, in the county of Newton and State of Georgia.

ILLINOIS.

Erich H. Buente to be postmaster at Venice, in the county of Madison and State of Illinois.

William W. Colt to be postmaster at Rushville, in the county of Schuyler and State of Illinois.

INDIAN TERRITORY.

Louis M. Merritt to be postmaster at Roff, in the Chickasaw Nation, Ind. T.

IOWA.

Frank B. Tibbitts to be postmaster at Hopkinton, in the county of Delaware and State of Iowa.

MARYLAND.

J. Henry Cover to be postmaster at Thurmont, in the county of Frederick and State of Maryland.

Edward S. Furbush to be postmaster at Berlin, in the county of Worcester and State of Maryland.

Alonzo R. Spitzer to be postmaster at Brunswick, in the county of Frederick and State of Maryland.

Harry K. Startzman to be postmaster at Hagerstown, in the county of Washington and State of Maryland.

Washington G. Tuck to be postmaster at Annapolis, in the county of Anne Arundel and State of Maryland.

MINNESOTA.

John W. Gish to be postmaster at Waterville, in the county of Lesueur and State of Minnesota.

MISSISSIPPI.

Bennett A. Truly to be postmaster at Fayette, in the county of Jefferson and State of Mississippi.

NEW JERSEY.

Henry W. Edsall to be postmaster at Hamburg, in the county of Sussex and State of New Jersey.

NEW YORK.

William G. Davry to be postmaster at Mechanicsville, in the county of Saratoga and State of New York.

John G. Ward to be postmaster at Cambridge, in the county of Washington and State of New York.

NORTH CAROLINA.

Claudius D. Holland to be postmaster at Gastonia, in the county of Gaston and State of North Carolina.

Ella C. Peace to be postmaster at Oxford, in the county of Granville and State of North Carolina.

Benjamin T. Person to be postmaster at Wilson, in the county of Wilson and State of North Carolina.

Elisha C. Terry to be postmaster at Hamlet, in the county of Richmond and State of North Carolina.

OHIO.

William R. Tyler to be postmaster at Huron, in the county of Erie and State of Ohio.

OKLAHOMA.

L. N. Bushorr to be postmaster at Pawnee, in the county of Pawnee and Territory of Oklahoma.

PENNSYLVANIA.

John B. Branagan to be postmaster at Charleroi, in the county of Washington and State of Pennsylvania.

SOUTH CAROLINA.

Wilmot L. Harris to be postmaster at Charleston, in the county of Charleston and State of South Carolina.

VIRGINIA.

William M. Adams to be postmaster at Norton, in the county of Wise and State of Virginia.

William T. Tillar to be postmaster at Emporia, in the county of Greenville and State of Virginia.

WASHINGTON.

Francis M. Lighthizer to be postmaster at Harrington, in the county of Lincoln and State of Washington.

Nelson Rich to be postmaster at Prosser, in the county of Yakima and State of Washington.

WYOMING.

Frank S. Knittle to be postmaster at Douglas, in the county of Converse and State of Wyoming.

William P. Webster to be postmaster at Cody, in the county of Bighorn and State of Wyoming.

ISLE OF PINES.

The injunction of secrecy was removed on November 24, 1903, from a treaty between the United States and Cuba, signed on July 2, 1903, for the adjustment of title to the ownership of the Isle of Pines.

HOUSE OF REPRESENTATIVES.

TUESDAY, November 24, 1903.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday, November 20, was read and approved.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Friday next, and on that I ask the previous question.

Mr. DE ARMOND. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. DE ARMOND. I rise for the purpose of asking the gentleman from New York a question.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. PAYNE. Well, Mr. Speaker, no debate is in order on this motion.

Mr. DE ARMOND. I understand that.

The SPEAKER. The gentleman from New York declines to yield.

Mr. DE ARMOND. Does he decline to yield, Mr. Speaker? He simply says that no debate is in order on this proposition.

Mr. PAYNE. Well, what is the gentleman's proposition?

Mr. DE ARMOND. What I wish to ask is something about the purpose of the House with reference to adjournment. We all know what they have done over in the Senate, and that the work of the extraordinary session is really ended. I would like to ask the gentleman what is the purpose of the House in reference to it?

Mr. PAYNE. Perhaps the gentleman from Missouri has had some communication from the Senate. I have had none. I do not know that there is any desire on the part of the Senate to adjourn—whether they desire it or not. I suppose the House of Representatives is capable of determining even so momentous a question as that.

Mr. DE ARMOND. Mr. Speaker, the gentleman from New York has given no information on the subject. I suppose he has learned from the CONGRESSIONAL RECORD, as I have, that the Senate, by unanimous consent, has laid over until the regular session the bill which we have passed and sent to them.

Mr. PAYNE. Well, Mr. Speaker, if we are to have any debate on this, we had better have some definite arrangement.

The SPEAKER. The gentleman from New York asks the previous question.

Mr. DE ARMOND. And upon that, Mr. Speaker, I ask for the yeas and nays. If the gentleman from New York is afraid to say what the majority proposes to do, let us see what they say on the roll call.

The question was taken; and the yeas and nays were ordered.

The SPEAKER. Pending the calling of the roll, the Chair lays before the House the following personal requests:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CROMER, indefinitely, on account of important business.

To Mr. TAYLOR, indefinitely, on account of important business.

To Mr. SCARBOROUGH, for five days, on account of important business.

To Mr. HOLLIDAY, for ten days, on account of important business.

To Mr. COCHRAN, for two weeks, on account of important business.

To Mr. STEVENS of Minnesota, indefinitely, on account of important business.

To Mr. GUDGER, indefinitely, on account of important business.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

The SPEAKER laid before the House the following resignation:

WASHINGTON, November 20, 1903.

To the SPEAKER.

SIR: I hereby resign from the board of directors of the Columbia Institution for the Deaf and Dumb.

Very respectfully,

GEORGE B. MCCLELLAN.

ADJOURNMENT OVER.

The SPEAKER. The question now is on the motion of the gentleman from New York for the previous question.

The question was taken; and there were—yeas 120, nays 103, answered "present" 6, not voting 154, as follows:

YEAS—120.

Adams, Pa.

Adams, Wis.

Allen.

Babcock.

Bartholdt.

Bede.

Bingham.

Bishop.

Boutell.

Bowersock.

Bradley.

Brandegee.

Brooks.

Brown, Wis.

Burke, S. Dak.

Burkett.

Burleigh.

Butler, Pa.

Calderhead.

Campbell.

Conner.

Cooper, Wis.

Cousins.

Crumpacker.

Curtis.

Dalzell.

Darragh.

Davis, Minn.

Dick.

Dovener.

Dwight.

Esch.

Foster, Vt.

French.

Gaines, W. Va.

Gardner, Mich.

Gardner, N. J.

Gibson.

Gillet, N. Y.

Gillett, Cal.

Gillett, Mass.

Graft.

Grosvenor.

Hamilton.

Haskins.

Haugen.

Hemenway.

Hepburn.

Hermann.

Hildebrandt.

Hill, Conn.

Hinsaw.

Hitt.

Hogg.

Holliday.

Howell, Utah.

Huff.

Hull.

Humphrey, Wash.

Jackson, Ohio.

Jenkins.

Jones, Wash.

Kennedy.

Ketcham.

Kinkaid.

Kyle.

Lacey.

Lafean.

Lawrence.

Littauer.

Longworth.

Loud.

McCarthy.

McCleary, Minn.

McLachlan.

McMorran.

Mann.

Martin.

Metcalfe.

Miller.

Minor.

Mondell.

Moon, Pa.

Murdock.

Needham.

Norris.

Olmsted.

Otis.

Otjen.

Palmer.

Parker.

Payne.

Pearre.

Prince.

Reeder.

Roberts.

Rodenberg.

Scott.

Sherman.

Sibley.

Slemp.

Smith, Samuel W.

Southard.

Southwick.

Spalding.

Sperry.

Stafford.

Steenerson.

Sulloway.

Tawney.

Thomas, Iowa.

Volstead.

Vreeland.

Wachter.

Wanger.

Warnock.

Wiley, N. J.

Williamson.

Wilson, Ill.

Young.

NAYS—103.

Adamsen.

Aiken.

Baker.

Bartlett.

Beall, Tex.

Benny.

Benton.

Birdsall.

Bowers.

Bowie.

Brantley.

Broussard.

Brundidge.

Burgess.

Burleson.

Burnett.

Byrd.

Cassingham.

Clark.

Clayton.

Cochran.

Cooper, Tex.

Cowherd.

Davey, La.

Davis, Fla.

De Armond.

Dinsmore.

Dougherty.

Emerich, Field, Fitzgerald, Garber, Garner, Gillespie, Granger, Gregg, Hamlin, Hardwick, Harrison, Hay, Henry, Tex. Hill, Miss. Hitchcock, Hopkins, Howell, Pa. Hughes, N. J. Humphreys, Miss.	Hunt, James, Johnson, Kehoe, Keliher, Lamar, Mo. Lamb, Legare, Lester, Lever, Lind, Lindsay, Little, Livingston, Lloyd, McAndrews, McClellan, McDermott, McLain,	Macon, Maynard, Meyer, La. Moon, Tenn. Patterson, Tenn. Pierce, Pujo, Randell, Tex. Rhea, Richardson, Tenn. Rixey, Robinson, Ark. Robinson, Ind. Rucker, Russell, Ryan, Shackleford, Sheppard, Sherley,	Shober, Sims, Small, Smith, Ky. Spight, Stephens, Tex. Sullivan, N. Y. Sulzer, Swanson, Tate, Thomas, N. C. Trimble, Underwood, Van Duzer, Wallace, Williams, Ill. Wilson, N. Y. Wynn.
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ANSWERED "PRESENT"—6.

Cassel, Denny,	Gaines, Tenn. Griffith,	Wade, Zenor.
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NOT VOTING—154.

Acheson, Alexander, Ames, Badger, Bankhead, Bassett, Bates, Beidler, Bell, Cal. Breezeale, Brick, Brown, Pa. Brownlow, Buckman, Burk, Pa. Burton, Butler, Mo. Caldwell, Candler, Capron, Cooper, Pa. Croft, Cromer, Crowley, Currier, Cushman, Daniels, Davidson, Dayton, Deemer, Dickerman, Dixon, Douglas, Draper, Dresser, Driscoll, Dunwell, Evans, Finley,	Fitzpatrick, Flack, Flood, Fordney, Foss, Foster, Ill. Fowler, Fuller, Gardner, Mass. Gilbert, Glass, Goebel, Goldfogle, Gooch, Goulden, Greene, Griggs, Gudger, Hearst, Hedge, Henry, Conn. Houston, Howard, Howell, N. J. Hughes, W. Va. Jackson, Md. Jones, Va. Kitchin, Claude Kitchin, Wm. W. Kline, Kluttz, Knapp, Knopf, Lamar, Fla. Landis, Chas. B. Landis, Frederick Lanning, Lewis, Lilley,	Littlefield, Livernash, Lorimer, Loudenslager, Lovering, Lucking, McCall, McCreary, Pa. McNary, Maddox, Mahon, Mahoney, Marsh, Marshall, Miers, Ind. Morgan, Morrell, Mudd, Nevin, Overstreet, Padgett, Page, Patterson, N. C. Patterson, Pa. Perkins, Porter, Pou, Powers, Me. Powers, Mass. Rainey, Ransdell, La. Reid, Richardson, Ala. Rider, Robb, Robertson, La. Ruppert, Scarborough, Scudder,	Shafroth, Shiras, Shull, Skiles, Slayden, Smith, Ill. Smith, Iowa Smith, Wm. Alden Smith, N. Y. Smith, Pa. Smith, Tex. Snapp, Snook, Southall, Sparkman, Stanley, Sterling, Stevens, Minn. Sullivan, Mass. Talbot, Taylor, Thayer, Thompson, Tirrell, Townsend, Vandiver, Van Voorhis, Wadsworth, Warner, Watson, Webb, Weems, Weisse, Wiley, Ala. Williams, Miss. Woodyard, Wright.
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So the pending question was ordered.

The following pairs were announced:

For the remainder of this session:

Mr. DEEMER with Mr. SHULL.
Mr. FOSS with Mr. VANDIVER.
Mr. BRICK with Mr. ZENOR.
Mr. SMITH of Pennsylvania with Mr. GUDGER.
Mr. KNOPF with Mr. WEISSE.
Mr. STEVENS of Minnesota with Mr. SLAYDEN.
Mr. BATES with Mr. CROWLEY.
Mr. SNAPP with Mr. CALDWELL.
Mr. BRADLEY with Mr. GOULDEN.
Mr. CASSEL with Mr. GOOCH.
Mr. PERKINS with Mr. THAYER.
Mr. SMITH of Iowa with Mr. WADE.
Mr. EVANS with Mr. RAINEY.
Mr. OVERSTREET with Mr. MIERS of Indiana.
Mr. LITTLEFIELD with Mr. SMALL.
Until further notice:
Mr. MAHON with Mr. HOUSTON.
Mr. HENRY of Connecticut with Mr. DENNY.
Mr. KNAPP with Mr. KLUTTZ.
Mr. BURK of Pennsylvania with Mr. FLOOD.
Mr. FORDNEY with Mr. JONES of Virginia.
Mr. POWERS of Maine with Mr. GAINES of Tennessee.
Mr. BROWNLOW with Mr. RANDELL of Louisiana.
Mr. KENNEDY with Mr. BADGER.
Mr. LARIMER with Mr. MAHONEY.
Mr. WARNER with Mr. FOSTER of Illinois.
Mr. BUCKMAN with Mr. GILBERT.
Mr. CROMER with Mr. GRIFFITH.
Mr. GREENE with Mr. McNARY.
Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.
Mr. DRISCOLL with Mr. SMITH of Texas.
Mr. DAYTON with Mr. MEYER of Louisiana.
Mr. CURRIER with Mr. FINLEY.
Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.
Mr. WRIGHT with Mr. KLINE.

Mr. TOWNSEND with Mr. LUCKING.
Mr. SKILES with Mr. CANDLER.
For one week:
Mr. MUDD with Mr. WILLIAM W. KITCHIN.
For one day:
Mr. CUSHMAN with Mr. LAMAR of Florida.
Mr. COOPER of Pennsylvania with Mr. GOLDFOGLE.
Mr. CAPRON with Mr. CLAUDE KITCHIN.
Mr. BURTON with Mr. HEARST.
Mr. BROWN of Pennsylvania with Mr. GLASS.
Mr. NEVIN with Mr. BUTLER of Missouri.
Mr. BEIDLER with Mr. CROFT.
Mr. MORRELL with Mr. BREEZEALE.
Mr. MCCREARY of Pennsylvania with Mr. WILEY of Alabama.
Mr. AMES with Mr. BELL of California.
Mr. WEEMS with Mr. WEBB.
Mr. MORGAN with Mr. BASSETT.
Mr. MARSH with Mr. BANKHEAD.
Mr. WATSON with Mr. THOMPSON.
Mr. WADSWORTH with Mr. TAYLOR.
Mr. VAN VOORHIS with Mr. TALBOTT.
Mr. ACHESON with Mr. SPARKMAN.
Mr. DAVIDSON with Mr. GRIGGS.
Mr. WM. ALDEN SMITH with Mr. LEWIS.
Mr. CHARLES B. LANDIS with Mr. MADDOX.
Mr. FREDERICK LANDIS with Mr. HOWARD.
Mr. HEDGE with Mr. FITZPATRICK.
Mr. DRAPER with Mr. RUPERT.
Mr. ALEXANDER with Mr. WILLIAMS of Mississippi.
Mr. SMITH of Illinois with Mr. PATTERSON of North Carolina.
Mr. FOWLER with Mr. POU.
Mr. GARDNER of Massachusetts with Mr. RICHARDSON of Ala-

bama.
Mr. FULLER with Mr. RIDER.
Mr. POWERS of Massachusetts with Mr. ROBB.
Mr. GOEBEL with Mr. REID.
Mr. HOWELL of New Jersey with Mr. ROBERTSON of Louisiana.

Mr. HUGHES of West Virginia with Mr. SCARBOROUGH.
Mr. LILLEY with Mr. SCUDDER.
Mr. LOUDENSLAGER with Mr. SHAFROTH.
Mr. MARSHALL with Mr. STANLEY.
Mr. MCCALL with Mr. SOUTHWALL.
Mr. LOVERING with Mr. SNOOK.
Mr. FLACK with Mr. PAGE.
Mr. DOUGLAS with Mr. PADGETT.
Mr. PORTER with Mr. LIVERNASH.
Mr. SHOBER. Mr. Speaker, I voted "no." I understand I am paired. I did not hear my name read among the pairs.

The SPEAKER. The Chair is informed that the gentleman is not paired.

Mr. SHOBER. Then I desire to vote "no."

The result of the vote was announced as above recorded.

The SPEAKER. The previous question is ordered. The question is on the motion of the gentleman from New York [Mr. PAYNE], that when the House adjourn to-day it be to meet on Friday next.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 19.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the channel of Deckers Creek, and the confluence of said creek with the Monongahela River, with the view of restoring the harbor destroyed by flood formerly used for the accommodation of traffic at Morgantown, W. Va.

Senate concurrent resolution No. 20.

Resolved, etc., That there be printed and bound 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the exposition company, showing progress made by various departments of the exposition, of which 3,500 shall be for the Senate, 4,500 for the House of Representatives, and 5,000 for the National Commission for the Louisiana Purchase Exposition.

SENATE CONCURRENT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate concurrent resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below.

Senate concurrent resolution No. 19:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the channel of Deckers Creek, and the confluence of

said creek with the Monongahela River, with the view of restoring the harbor destroyed by flood formerly used for the accommodation of traffic at Morgantown, W. Va.—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 20:

Resolved, etc., That there be printed and bound 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the exposition company, showing progress made by various departments of the exposition, of which 3,500 shall be for the Senate, 6,500 for the House of Representatives, and 5,000 for the National Commission for the Louisiana Purchase Exposition—

to the Committee on Printing.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House that the President had approved and signed joint resolution (H. J. Res. 14) making immediately available the appropriation for mileage of Senators and Members of the House of Representatives, and for other purposes.

STONE RIVER NATIONAL MILITARY PARK.

Mr. RICHARDSON of Tennessee. Mr. Speaker, on the 17th instant I introduced a bill (H. R. 3569) to establish a national military park at the battlefield of Stone River. This bill has in it a map. Under the law the Public Printer holds that he can not print the bill unless an order is expressly made by the House to include the map in it. I therefore ask unanimous consent that the order to print the bill include the order to print the map, which is a part of it.

Mr. PAYNE. Mr. Speaker, I want to ask the gentleman a question. I understand that the bill was reported in the last Congress with the map printed in the bill?

Mr. RICHARDSON of Tennessee. Yes; either in the last Congress or in the Congress preceding that—I think the preceding Congress.

Mr. PAYNE. And the map only occupies one page?

Mr. RICHARDSON of Tennessee. Yes.

The SPEAKER. Is there objection to the request of the gentleman?

Mr. MANN. Mr. Speaker, as this is the gentleman's own law—

Mr. RICHARDSON of Tennessee. Oh, no.

Mr. MANN. I should like to examine the bill before it is printed, and for the present I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. RICHARDSON of Tennessee. Mr. Speaker, one word. If the gentleman from Illinois [Mr. MANN] will pardon me, he is mistaken in saying that this is based upon the motion that I made in the last Congress. That referred to the printing of pictures and illustrations in the special reports, and the annual reports of bureau officers. It did not relate to printing bills.

Mr. MANN. It related, Mr. Speaker, to printing everything, and that is the objection now to printing this map. But if the gentleman's memory is sufficiently refreshed so that he knows he made a bad mistake when he made that proposition, I will withdraw the objection. [Laughter.]

Mr. RICHARDSON of Tennessee. I will not, in order to get a bill printed, agree that there was any mistake made. On the other hand, I say that the reports of bureau officers and of Executive Departments should not contain pictures, and if the gentleman wants me to admit something I do not believe in order to get a bill printed, I can not make that admission.

Mr. MANN. Well, Mr. Speaker—

The SPEAKER. The gentleman from Illinois [Mr. MANN] withdraws his objection. The Chair hears no objection, and it is so ordered.

LOUISIANA PURCHASE EXPOSITION.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, ordered to be printed, and referred to the Select Committee on Industrial Arts and Expositions:

To the Senate and House of Representatives:

I transmit herewith a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company from date of incorporation to September 30, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901, together with a report submitted by the Exposition Company, showing progress made by the various departments of the exposition.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, November 20, 1903.

ONE HUNDREDTH ANNIVERSARY OF THE TRANSFER OF LOUISIANA.

The SPEAKER. If there be no objection, the Chair will lay before the House, for reference to the Select Committee on Industrial Arts and Expositions, the following invitation, which the Clerk will read.

The Clerk read as follows:

The governor of Louisiana requests the honor of the honorable the Speaker and Members of the House of Representatives' presence at the celebration of the one hundredth anniversary of the transfer of Louisiana by France to the United States, to be held December 18, 19, and 20, 1903, New Orleans.

The SPEAKER. If there be no objection, the communication will be referred to the Select Committee on Industrial Arts and Expositions.

There was no objection.

Mr. MEYER of Louisiana. Mr. Speaker, I offer the concurrent resolution which I send to the Clerk's desk, and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Louisiana [Mr. MEYER] asks unanimous consent for the present consideration of the following resolution, which the Clerk will read.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the invitation extended to the Congress of the United States by the Louisiana Historical Society and by the governor of the State of Louisiana to attend the ceremonies in commemoration of the one hundredth anniversary of the transfer of the territory of Louisiana and all sovereignty over said territory by France to the United States, to be held at New Orleans, December 18, 19, and 20, 1903, be, and it is hereby, accepted.

That the President pro tempore of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized and directed to appoint a committee, consisting of three Senators and five Representatives, to attend the ceremonies and to represent the Congress of the United States on the occasion of the celebration of the centennial anniversary referred to.

Resolved further, That the expenses of the members of the said joint committee of the Senate and House of Representatives authorized to attend and attending and representing the Congress of the United States at the city of New Orleans on the occasion named, not exceeding in the aggregate \$2,500, to be paid as follows: One-half thereof out of the contingent fund of the House, and one-half thereof out of the contingent fund of the Senate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BURKETT. I object.

MEXICAN BOLL WEEVIL.

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a statement presented by the Texas and Louisiana delegations to the Secretary of Agriculture. This document contains a statement of the magnitude of the cotton industries of the United States and the nature and character of the peril threatened them by the Mexican boll weevil, and also an outline of the plan proposed for relief.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

The statement is as follows:

TO THE SECRETARY OF AGRICULTURE:

We, the undersigned Representatives of the States of Texas and Louisiana in the Fifty-eighth Congress, respectfully present to the Secretary of Agriculture that the supremacy of the cotton industries of the United States is imperiled by the ravages of the boll weevil in Texas, which State produces about one-third of the total annual cotton crop of the United States; and we respectfully represent that the magnitude of the interests involved and the threatened spread of the pests through all of the cotton-growing States makes the question one proper to be legislated upon by the Federal Congress.

The present distinguished Secretary of the Treasury of the United States, in a speech delivered in Boston on the 29th of last October, stated: "We grow three-fourths of the cotton fiber of the world. We export two-thirds of what we grow. That leaves for consumption one-fourth of all the cotton of the world. From this we export a little over \$50,000,000 worth and import about \$40,000,000 worth of manufactured cotton." An average cotton crop of the United States is about 10,000,000 bales, which at 10 cents a pound (which is less than the present price) amounts to \$500,000,000, two-thirds of which, as we export that amount, brings from Europe and pours into the channel of American commerce \$333,000,000 annually.

From the abstract of the Twelfth Census it appears that in 1900 there was invested in cotton compressing, cotton ginning, and the manufacture of cotton goods, \$498,000,000. There were \$88,000,000 paid out by these industries in wages to employees, and the value of the products produced was \$356,000,000. In addition there was invested, in 1900, in the cotton-seed oil and cotton-seed cake industries \$34,000,000, paying three and one-quarter million in wages, and paying \$45,000,000 for material, and producing products to the value of \$58,000,000. This is a marvelous growth since 1880, when only \$7,000,000 worth of cotton-seed products were produced in the United States. This cotton-seed industry is of the greatest importance, because it aids us in maintaining our cotton supremacy in that it adds to the value of the farmers' product from 1 to 2 cents per pound in the price of the lint cotton—that is to say, that a bale of cotton, now sold for 8 cents, would bring the farmer as much money as the same bale would have brought at 9¢ or 10 cents per pound prior to the present disposition of the seed, and this is one of the distinct advantages which we possess over the European countries now attempting competitive cotton growing. All of this is intensified in value by a future prospect in the markets in the Orient, superinduced by an increased prospect of an early construction of the isthmian canal.

The manufacture of cotton goods is about equally divided between the South and the East, while the cotton-seed oil and the cotton-seed cake industries are almost entirely with the South. The foregoing facts give a fair view of the magnitude of the interests involved. Now Texas produces, as we have said, about one-third of the cotton upon which all of these great industries rest. The boll weevil first appeared in the southwestern part of the State of Texas, coming from Mexico, and in a few years has spread in a northeasterly direction practically to the Louisiana line, a distance of perhaps 700 miles. If this advance of the weevil continues, but a few years will suffice to carry it across the States of Louisiana, Mississippi, Alabama, and Georgia and into the most northeasterly cotton-producing States of the Union. It is quite difficult to estimate the exact extent of the injury or the financial loss sustained in Texas this year by the cotton growers. The expert of the Agricultural Department, Mr. Hunter, some time since very conservatively estimated that it would not be less than \$15,000,000.

The judgment of those of us whose names are signed hereto, and who reside in the infected districts in Texas, is that this year's loss will amount to not less than \$35,000,000, and may possibly be as much as \$50,000,000. This involves not only a direct loss to the cotton planters of the State for this year, but under possible conditions it may be much greater next year, for the weevil are spreading somewhat northwesterly and southeasterly along the direction in which they have been going, and a much larger infected district is certain to appear in the State. In addition to this direct loss is the decreased land value, the decreased retail trade, the decreased bank deposits, and the narrowing of the channels of business, and the entire loss of the gold brought from Europe by reason of the cotton export trade, and, worse than all, the poverty of those who are poor, black and white, engaged so largely in cotton cultivation. All this easily suggests to the mind that if this pest spreads into the other cotton States what the effect must be upon all of the other industries depending upon it, and what must become of the cotton supremacy of America in the short space of a few years. It is clear that the most unfortunate thing that could happen to the cotton planters of the South is that reduced production by reason of the boll weevil would augment the price of cotton so as to give an impetus to foreign governments to enter upon cotton production on a large scale, and in addition to manufacturing cotton, as they now do, they would enter upon the cotton-seed oil and the cotton-seed cake industries.

The Department of Agriculture has been doing the best possible with the means in hand to deal with this difficult and troublesome matter, proceeding at first largely upon the theory that it was solely an entomological proposition. First, \$10,000, then \$20,000, and then \$30,000 was appropriated for investigation and experiment stations and for the discovery of methods to meet the difficulty. The investigations of the Entomological Division of the Department of Agriculture by the chief, Doctor Howard, have been far-reaching and thorough. The life history of the insect has been studied in a way that reflects credit upon that Department's work. All known methods of combating it have received attention. Owing to the habits of the insect the futility of poisons, sprays, and all such methods has been conceded. Up to this date no parasite has been discovered that would war upon this insect, nor has any disease been discovered that would be communicable and thus exterminate them. This insect seems to be the healthiest bug that Doctor Howard has met in his many researches. While these methods can and ought to be pursued further, and doubtless will be, yet by force of conditions other methods must be immediately resorted to, involving cultural methods, the diversification of crops, the destruction of all infected materials, the planting of early maturing varieties of cotton, the creation and propagation of the best resistant varieties, etc.

It is now demonstrated beyond all question that the diversification of crops is highly essential. All this would be much more true of the regions east of the Mississippi River, where cotton has been the sole dependence for so many years. All of this work will entail a considerable expenditure of money and will necessitate a thorough organization in the infected districts; and while we gratefully return our thanks to the Department of Agriculture and to the Congress for what has been done in the past, we respectfully urge that much more must be immediately done if the alarming condition now obtaining in Texas is to be successfully met and the spread of like conditions in other cotton-growing States is successfully prevented. The State of Texas has enacted some legislation on the subject and is doing what it can; and the State of Louisiana has become aroused on the anticipated invasion of the weevil and will possibly shortly have a call session of the State legislature to deal with the boll weevil. The magnitude of the interests involved and the peril that threatens the cotton-growing regions and the actual conditions that exist as we know them causes us to suggest to the Congress the adoption of the following plan, which meets with the unanimous indorsement of the signers hereto, and which we briefly state, and the reasons therefor:

First. We suggest that a cotton commission be created, to consist of five members, one from the Bureau of Plant Industry, one from the Division of Entomology, and three practical farmers, two resident in the infected district of Texas and one in the State of Louisiana; that this commission be located at some accessible point within the infected territory. This plan is virtually made necessary in order to bring about any organized adequate relief. The Texas cotton convention, which recently met at Dallas, passed the following resolution:

"Recognizing the great danger confronting the cotton industry of Texas and other cotton-growing States, we earnestly appeal to the Federal Government through its Department of Agriculture to continue its liberal appropriations and to vigorously continue its efforts for the suppression and extermination of the boll weevil, bollworm, and other cotton pests."

This convention created an executive committee, which committee has unanimously requested the Texas Representatives in Congress to secure legislation providing for cotton experiment farms in every county where the county will cooperate with the Department of Agriculture in its efforts that the pests may be thoroughly and rapidly met and remedies generally applied. It also recommended that two-thirds of the cotton seed, consisting of the quick-maturing varieties now being bought by the Government, be planted upon these experiment farms in each county, so that a large volume of the improved seed be provided for Texas planting in 1906. These suggestions are wise, we think, and could best be carried out under the plan we have outlined. The value of having Texas and Louisiana farmers on the commission is that they will bring to the work of the commission a practical knowledge of the people, climate, and crops involved, and will induce confidence in its recommendations and aid organization and uniformity of methods and cooperation by cotton planters. We further suggest that a fund, to be called "the cotton investigation fund," of \$500,000 be set aside to be expended, or so much thereof as may be necessary, by the Secretary of Agriculture in furthering all the purposes contemplated herein; and in this connection we suggest that possibly the remainder of the fund of a similar amount appropriated to stamp out "the foot-and-mouth disease" might be utilized for this fund jointly, so as not to greatly increase the appropriations for this Congress.

It may be possible that the named amount may not be expended in one year, but the conditions are such that it is almost impossible to estimate in advance and in detail what the expenditures ought to be and will be, and by far the better method is to grant this commission a sufficient sum to cover all possible phases of its work and to inspire confidence and cooperation on the part of the cotton planters. The commission properly organized could so lay out the work as to expedite it in all its phases, and bring immediate returns to the fullest possible extent, and would not be hampered in the matter of specific requirements as would be the case in one of the appropriations for the Department proper. A detailed statement as to how this money ought to be expended so as to bring practical results is difficult; but we suggest the following problems:

- First. Demonstration of improved cultural methods.
- Second. The location and supervision of experiment stations in counties or in districts organized in one or more counties.
- Third. Work having for its objects the production and distribution of early weevil-resistant varieties of cotton.
- Fourth. Studies of cotton diseases.
- Fifth. Studies of cotton insects.

Sixth. Introduction of new crops.

Seventh. Studies and experiments in connection with methods for destruction of the boll weevil and other cotton insects.

Eighth. Studies of the enemies of the insects.

Ninth. General propaganda.

Tenth. Cooperation between the States of Texas and Louisiana in methods to be devised to check and confine the ravages of the cotton boll weevil to Texas and prevent its spread in Texas and into other cotton States.

In our judgment possibly the sum we have mentioned may be economically consumed in one year. It may be deemed advisable to cooperate with Louisiana in stamping out the first appearance of the boll weevil in the cotton fields of western Louisiana, and if this be deemed feasible twice the sum named could be sensibly expended annually for that purpose alone. We therefore pray the Secretary to recommend to Congress the adoption of these suggestions.

S. M. Robertson, R. C. Davey, R. F. Broussard, Phanor Breazeale, Jos. E. Ransdell, A. P. Pujó, Adolph Meyer, Members from Louisiana; S. B. Cooper, Chairman Texas Delegation, Scott Field, Geo. F. Burgess, Morris Sheppard, O. W. Gillespie, C. B. Ransdell, Jno. N. Garner, Jack Beall, Jas. L. Slayden, R. L. Henry, A. W. Gregg, A. S. Burleson, W. R. Smith, Gordon Russel, Jno. H. Stephens, Members from Texas.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. McMorran, for fourteen days, on account of urgent business.

To Mr. Wanger, for the remainder of this week, on account of illness in family.

To Mr. Breazeale, for ten days.

To Mr. Robertson of Louisiana, for ten days.

To Mr. Ransdell of Louisiana, for ten days, on account of important business.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 40 minutes p. m.), in accordance with previous order, the House adjourned until Friday, November 27, next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a favorable recommendation, a draft of a bill to correct an error in the law relating to marking the position of troops at Gettysburg—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an abstract of official emoluments of the officers of the customs service during the fiscal year ended June 30, 1903—to the Committee on Ways and Means, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2370) granting a pension to George M. Ross—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2075) for relief of Hiram Kendall—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 2471) granting an increase of pension to Thomas Howard—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2668) granting a pension to B. W. McCray—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2919) granting a pension to Mary Robison—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3205) for the relief of George W. Ingram—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 3246) granting a pension to Hedwig A. Maass—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3352) granting a pension to Mary Idle—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3402) granting an increase of pension to Daniel Nagle—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3416) granting a pension to James W. Perkins—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3496) granting a pension to Katherine Decker—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3615) granting an increase of pension to Annie L. Evens—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3857) to correct the military record of George S. Groesbeck—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 3970) for the relief of William M. Underwood—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4113) for the relief of Hamilton D. South—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 4315) granting an increase of pension to John F. Davis—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4345) for the relief of Andrew Jackson Mcndy—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 4358) to remove the charge of desertion from the record of Zadoc J. Overby—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 4603) to amend and correct the records of Company D, Seventh Regiment of Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 4620) to remove the charge of desertion from the military record of Andrew Brewton—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 4622) granting a pension to William E. Martin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4680) granting a pension to Jonas Ball—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1291) authorizing the issuance of patents to Amanda C. Hines, Minnie A. Hines, and Harriet A. Hines for lands allotted to them in South Dakota—Committee on Patents discharged, and referred to the Committee on the Public Lands.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MANN: A bill (H. R. 4818) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois—to the Committee on Ways and Means.

By Mr. PRINCE: A bill (H. R. 4819) for the erection of a post-office building at Kewanee, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4820) providing for the erection of an addition or extension to the post-office and court-house at Quincy, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. MANN: A bill (H. R. 4821) to provide for a waterway between the Calumet River and the Sanitary Canal, in Illinois—to the Committee on Rivers and Harbors.

By Mr. GIBSON: A bill (H. R. 4822) for the erection of a public building at Knoxville, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4823) to provide for the improvement of the Tennessee River and some of its tributaries in Tennessee—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4824) to increase the pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. BOWERSOCK: A bill (H. R. 4825) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes—to the Committee on Indian Affairs.

By Mr. WILEY of New Jersey: A bill (H. R. 4826) to provide for clean paper money—to the Committee on Banking and Currency.

By Mr. RODENBERG: A bill (H. R. 4827) to increase pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post Roads.

By Mr. GOULDEN: A bill (H. R. 4828) for the erection of a public building in the borough of the Bronx, New York City—to the Committee on Public Buildings and Grounds.

By Mr. BROOKS: A bill (H. R. 4829) to increase the limit of cost for the purchase of a site and the erection of a public building at Leadville, in the State of Colorado—to the Committee on Public Buildings and Grounds.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 4830) for the erection of a public building at Greenville, Miss.—to the Committee on Public Buildings and Grounds.

By Mr. HILL of Connecticut: A bill (H. R. 4831) to improve currency conditions—to the Committee on Banking and Currency.

By Mr. LAFEAN: A bill (H. R. 4832) to provide for the purchase of a site and the erection of a public building thereon at Gettysburg, in the State of Pennsylvania—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4833) to classify rural free-delivery letter carriers, and to fix their salaries—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Washington: A bill (H. R. 4834) authorizing and directing the Secretary of War to survey and lay out a road through the Rainier Forest Reserve from the eastern boundary thereof into the Mount Rainier National Park, State of Washington, and for other purposes—to the Committee on the Public Lands.

By Mr. BEALL of Texas: A bill (H. R. 4835) to prescribe the jurisdiction of suits, both in law and in equity, brought by or against receivers or managers of property appointed by Federal courts or judges thereof—to the Committee on the Judiciary.

By Mr. BURGESS: A bill (H. R. 4836) to regulate the salaries of the United States marshals in Texas—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: A bill (H. R. 4837) to regulate the sale of poisons in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GRIFFITH: A bill (H. R. 4838) for the erection of a monument or memorial building at the scene of the Lochry massacre, near the mouth of Laughery Creek, Indiana—to the Committee on the Library.

Also, a bill (H. R. 4839) repealing the national bankruptcy act—to the Committee on the Judiciary.

Also, a bill (H. R. 4840) to provide for the purchase of a site and the erection of a public building thereon at Columbus, in the State of Indiana, and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4841) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

Also, a bill (H. R. 4842) to provide for a coupon currency in which small sums in any multiple of 5 cents may be conveniently sent by mail—to the Committee on Banking and Currency.

By Mr. CROMER: A bill (H. R. 4843) to increase the limit of cost for the purchase of site and the erection of a public building at Anderson, Ind.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4844) to increase the limit of cost for the purchase of site and the erection of a public building at Muncie, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. HILL of Connecticut: A bill (H. R. 4845) to amend section 3878 of Revised Statutes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4846) to provide for the modification of the project for the improvement of the harbor of Bridgeport, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4847) to provide for free alcohol in certain arts and industries—to the Committee on Ways and Means.

By Mr. PALMER: A bill (H. R. 4848) to regulate practice in the circuit courts of appeals in certain cases—to the Committee on the Judiciary.

By Mr. HARDWICK: A bill (H. R. 4849) to prohibit and punish the purchase and sale of indorsement or support for office by certain persons—to the Committee on the Judiciary.

By Mr. COWHERD: A bill (H. R. 4850) to provide emergency currency—to the Committee on Banking and Currency.

By Mr. PEARRE: A bill (H. R. 4851) providing for establishing a public park at Langdon, D. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4852) providing for establishing a public park at Langdon, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. GARBER: A bill (H. R. 4853) providing for subsistence for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: A bill (H. R. 4854) to provide for the purchase of a site and the erection of a public building thereon at Alpena, in the State of Michigan—to the Committee on Public Buildings and Grounds.

By Mr. KINKAID: A bill (H. R. 4855) to provide for the purchase of a site and the erection of a public building thereon in the city of North Platte, State of Nebraska—to the Committee on Public Buildings and Grounds.

By Mr. HITCHCOCK: A bill (H. R. 4856) providing for the use of Fort Omaha Military Reservation, in the city of Omaha, Nebr., for officers' quarters and for the improvement of the same, and for other purposes—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 4857) to increase the pay of mail carriers on rural free-delivery mail routes—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNER: A bill (H. R. 4858) for the erection of a statue to the memory of Maj. Gen. Franz Sigel at Washington, D. C.—to the Committee on the Library.

By Mr. ALLEN: A bill (H. R. 4859) to further protect the first day of the week as a day of rest in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BURLEIGH: A bill (H. R. 4860) for the establishment of a light-house and a fog signal at Isle au Haut, Maine—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 4861) to prevent the issuance of retail liquor dealers' license to persons in communities where the sale of intoxicating liquors is forbidden by the laws of the State or municipality—to the Committee on Ways and Means.

By Mr. WADE: A bill (H. R. 4862) to remove all duties on crude petroleum or its products—to the Committee on Ways and Means.

By Mr. HOWELL of Pennsylvania: A bill (H. R. 4863) to provide a mortuary chapel at the Arlington Cemetery—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 4864) granting a pension to all pensioners of the civil and Indian wars of not less than \$12 per month, and to the widows of such persons a like pension—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 4865) to promote the American merchant marine—to the Committee on Ways and Means.

By Mr. MONDELL: A bill (H. R. 4866) prohibiting the selection of timber lands in lieu of lands in forest reserves—to the Committee on the Public Lands.

By Mr. HAMILTON: A bill (H. R. 4867) to amend an act entitled "An act to increase the pensions of those who have lost limbs in the military or naval service of the United States"—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 4868) to provide for the extension and enlargement of the public building at Chester, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. SULLOWAY: A bill (H. R. 4869) to establish a life-saving station at the Isles of Shoals, off Portsmouth, N. H.—to the Committee on Interstate and Foreign Commerce.

By Mr. LAWRENCE: A bill (H. R. 4870) to establish a library post—to the Committee on the Post-Office and Post-Roads.

By Mr. BEALL of Texas: A bill (H. R. 4871) to refund the cotton tax—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 5056) granting an increase of compensation to keepers of life-saving stations—to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN: A joint resolution (H. J. Res. 45) providing for the publication of 4,000 copies of a translation of the book entitled "Les Combattants Français de la Guerre Américaine, 1778-1783"—to the Committee on Printing.

By Mr. GARNER: A concurrent resolution (H. C. Res. 9) directing a survey to be made of the channel from Aransas Pass through Turtle Cove to Corpus Christi Bay, Texas—to the Committee on Rivers and Harbors.

By Mr. MEYER of Louisiana: A concurrent resolution (H. C. Res. 10) providing for appointment of a committee of three Senators and five Representatives to attend ceremonies of centennial anniversary of the transfer of Louisiana to the United States—to the Select Committee on Industrial Arts and Expositions.

By Mr. SOUTHARD: A resolution (H. Res. 29) authorizing the Clerk of the House to pay the widow of Samuel H. Decker, late a messenger of the House of Representatives, a sum equal to six months' salary and funeral expenses, not exceeding \$250—to the Select Committee on Accounts.

By Mr. STEPHENS of Texas: A resolution (H. Res. 30) asking for report of investigation of land frauds under the stone, desert, timber, and homestead acts—to the Committee on the Public Lands.

By Mr. WACHTER: A resolution (H. Res. 31) authorizing chairman of the Committee on Enrolled Bills to appoint a janitor for the room of said committee and for the engrossing rooms of the House—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4873) granting an increase of pension to John McKenzie—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 4874) granting a pension to Charles V. Billig—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 4875) for the relief of Richard C. Silence—to the Committee on Military Affairs.

By Mr. BARTLETT: A bill (H. R. 4876) for the relief of G. W. Clark & Son, a firm composed of G. W. Clark and J. H. Clark, of Spalding County, Ga.—to the Committee on War Claims.

By Mr. BIRDSALL: A bill (H. R. 4877) granting an increase of pension to Mathias C. Mills—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 4878) granting an increase of pension to George W. Rowland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4879) granting an increase of pension to Shadrack M. Sellers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4880) granting an increase of pension to William F. Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4881) granting a pension to John A. Richards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4882) granting a pension to Isabella McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4883) granting a pension to Margaret J. Verbiskey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4884) granting an honorable discharge to Franklin S. Cowan—to the Committee on Military Affairs.

Also, a bill (H. R. 4885) granting an honorable discharge to Riley Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 4886) for the relief of David H. Lewis—to the Committee on Claims.

By Mr. BRADLEY: A bill (H. R. 4887) granting a pension to George N. Thorpe—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 4888) granting a pension to Orlando Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4889) granting a pension to Henry C. Beltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4890) granting a pension to Albert Hempstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4891) granting a pension to Julia R. Braxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4892) granting a pension to Elias Veatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4893) granting an increase of pension to Charles W. De Rocher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4894) granting an increase of pension to William S. Devlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4895) granting an increase of pension to Francis M. McMahon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4896) for the relief of the legal representatives of A. G. Boone—to the Committee on Claims.

By Mr. BRUNDIDGE: A bill (H. R. 4897) granting an increase of pension to William Johnson—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 4898) granting an increase of pension to Melvin C. Wadsworth—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 4899) referring the claim of William H. Diamond, of Chester, Pa., for damages for personal injuries sustained, to the Court of Claims—to the Committee on Claims.

By Mr. BUTLER of Missouri: A bill (H. R. 4900) granting a pension to Sarah Hodgson—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 4901) to correct the military record of Homer Quick—to the Committee on Military Affairs.

Also, a bill (H. R. 4902) granting an increase of pension to James Cheffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 4904) for the relief of the heirs of E. A. Dozier, deceased—to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 4905) granting an increase of pension to Catherine Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4906) granting an increase of pension to Robert D. Cresson—to the Committee on Invalid Pensions.

By Mr. CROMER: A bill (H. R. 4907) granting a pension to Henry A. Hartley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4908) granting a pension to John A. McConnell—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 4909) for the relief of David J. Kent—to the Committee on Military Affairs.

By Mr. FITZGERALD: A bill (H. R. 4910) granting a pension to Prudentia L. D. Nugent—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 4911) granting a pension to Joseph Grubbs—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 4912) for the relief of Lieut. George B. Loud—to the Committee on Military Affairs.

Also, a bill (H. R. 4913) for the relief of Lieut. George B. Loud—to the Committee on Claims.

Also, a bill (H. R. 4914) for the relief of Michael Lynch from sentence of court-martial—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 4915) granting an increase of pension to James W. Hibbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4916) granting an increase of pension to Allen M. Pierce—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 4917) for the relief of A. W. Abbott—to the Committee on War Claims.

Also, a bill (H. R. 4918) granting a pension to Rachel A. Woodmansee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4919) granting an increase of pension to Catharine Sprague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4920) granting an increase of pension to Richard H. Foulk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4921) granting an increase of pension to Junius Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4922) granting an increase of pension to Newton W. Vawter—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 4923) granting an increase of pension to Henry B. Teetor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4924) granting a pension to C. S. Rannels—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 4925) granting a pension to John Boyle—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 4926) for the relief of L. L. Arrington and L. S. Arrington—to the Committee on Claims.

By Mr. HASKINS: A bill (H. R. 4927) granting an increase of pension to Eugene P. Tewkesbury—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 4928) granting an increase of pension to Jason H. Masterson—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 4929) granting an increase of pension to George Ingram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4930) granting an increase of pension to George W. Hubbard—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 4931) granting an increase of pension to Robert W. Mitchell—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 4932) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 4933) for the relief of the representatives of M. F. Merritt, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4934) granting an increase of pension to Mary Lucetta Arnold—to the Committee on Pensions.

Also, a bill (H. R. 4935) granting an increase of pension to Edward T. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4936) granting a pension to Henry E. Buckingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4937) granting an increase of pension to Emily Conklin—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 4938) granting an increase of pension to Henry Cronk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4939) granting an increase of pension to Rutson J. Bullock—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 4940) granting a pension to Joseph D. C. Artz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4941) granting a pension to Mary J. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4942) granting an increase of pension to Adam Hand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4943) granting an increase of pension to Thomas Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4944) for the relief of Sarah A. Clapp—to the Committee on War Claims.

By Mr. HULL: A bill (H. R. 4945) granting an increase of pension to Orwell Blake—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 4946) to restore James F. Wheeler to the pension roll—to the Committee on Invalid Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 4947) to remove charge of desertion and grant honorable discharge to Henry Lowmaster—to the Committee on Military Affairs.

Also, a bill (H. R. 4948) granting a pension to Wilson H. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4949) granting an increase of pension to George Bixler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4950) granting an increase of pension to Henry C. Chadwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4951) granting an increase of pension to William Greer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4952) granting an increase of pension to Martin H. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4953) granting an increase pension to Mark Clinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4954) granting an increase of pension to Horace L. Foote—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 4955) to provide for the payment of certain claims against the District of Columbia, in accordance with the act of July 19, 1897—to the Committee on the District of Columbia.

By Mr. JONES of Virginia: A bill (H. R. 4956) for the relief of the Potomac Steamboat Company—to the Committee on Claims.

Also, a bill (H. R. 4957) for the relief of the Shiloh Methodist Church, of Fredericksburg, Va.—to the Committee on War Claims.

By Mr. KEHOE: A bill (H. R. 4958) granting an increase of pension to R. T. D. Zimmerman—to the Committee on Pensions.

Also, a bill (H. R. 4959) granting an increase of pension to Martin Elswick—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 4960) to increase the pension of William J. Lee—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 4961) correcting the military record of Patrick Hagerty, of O'Neill, Nebr.—to the Committee on Military Affairs.

Also, a bill (H. R. 4962) granting a pension to Sarah A. Grandstaff—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 4963) to correct the military record of Adolphus Sterling—to the Committee on Military Affairs.

Also, a bill (H. R. 4964) granting an increase of pension to C. E. Mink—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 4965) granting an increase of pension to Amanda Miner—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 4966) granting an increase of pension to Edwin W. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4967) granting an increase of pension to Byron Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4968) granting a pension to Robert E. Clary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4969) granting a pension to Laura A. Hoyt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4970) to amend the record of Charles E. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 4971) for the relief of Mrs. Anna M. Orne, sole administratrix of the estate of Henry A. Orne, deceased—to the Committee on War Claims.

By Mr. LEGARE: A bill (H. R. 4972) granting an increase of pension to Sarah N. Coste—to the Committee on Pensions.

Also, a bill (H. R. 4973) granting a pension to George H. Moore—to the Committee on Pensions.

By Mr. LEVER: A bill (H. R. 4974) granting a pension to Margaret Hertel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4975) for the relief of the legal representatives of J. H. Brantly, deceased—to the Committee on War Claims.

By Mr. LITTAUER: A bill (H. R. 4976) for the relief of Daniel Mosher—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: A bill (H. R. 4977) to remove the charge of desertion from the naval record of Frank C. Whitney—to the Committee on Military Affairs.

By Mr. LORIMER: A bill (H. R. 4978) granting an increase of pension to Charles H. Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4979) granting an increase of pension to Cyrus Jaynes—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 4980) granting an increase of pension to Thomas E. Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4981) granting an increase of pension to John H. Iott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4982) to remove the charge of desertion from the record of Allison Huntley—to the Committee on Military Affairs.

Also, a bill (H. R. 4983) granting an increase of pension to Charles Gochey—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 4984) granting an increase of pension to Charles F. Bowman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4985) placing upon the retired list the name of Joseph H. Burrows—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 4986) for the relief of James H. Rodgers—to the Committee on Claims.

Also, a bill (H. R. 4987) granting an increase of pension to William Y. M. Wilkerson—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 4988) for the relief of Jacob Koons—to the Committee on War Claims.

Also, a bill (H. R. 4989) to carry out the findings of the Court of Claims in the case of Sidney R. Smith & Co.—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 4990) granting a pension to Georgia R. Demarest—to the Committee on Invalid Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 4991) granting an increase of pension to James Paul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4992) granting an increase of pension to John Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4993) granting an increase of pension to James H. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4994) granting an increase of pension to Mary P. Sheets—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4995) granting an increase of pension to Henry Wilfong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4996) granting an increase of pension to Alexander Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4997) granting a pension to Franklin B. Lippincott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4998) granting a pension to Marion L. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4999) granting a pension to Ellwood I. Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5000) granting a pension to Jackson D. Siner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5001) to reimburse James M. McGee for expenses incurred in the burial of Mary J. De Lange, a deceased pensioner—to the Committee on Claims.

By Mr. McMORRAN: A bill (H. R. 5002) granting a pension to Charles E. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5003) granting a pension to Thomas Williams—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 5004) for the relief of Abram G. Hoyt—to the Committee on Claims.

Also, a bill (H. R. 5005) granting an increase of pension to Worthington S. Locke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5006) granting a pension to Sarah Ulshafer—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 5007) granting an increase of pension to Jerningham Boone—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 5008) granting an increase of pension to Henry McCord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5009) granting an increase of pension to Luke P. Allphin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5010) granting a pension to Mary F. Hamilton—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 5011) granting an increase of pension to Henry O. Pixley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5012) granting an increase of pension to Jacob Reitzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5013) granting an increase of pension to David C. Stotts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5014) granting an increase of pension to Daniel Baughman—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 5015) granting a pension to William A. Russell—to the Committee on Pensions.

By Mr. RIXEY (by request): A bill (H. R. 5016) for the relief of Andrew Grady, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5017) for the relief of N. A. Kraft, sr., of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5018) for the relief of Dan Fry, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5019) for the relief of F. H. Cleveland, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5020) for the relief of A. J. Nalls, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5021) for relief of A. L. Lewis, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5022) for the relief of T. L. Weedon—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5023) for the relief of Thomas Fletcher, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5024) for the relief of R. B. Warren, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5025) for the relief of Charles Dearborn, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5026) for relief of James Sheridan, Alexandria County, Va.—to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 5027) granting an increase of pension to James Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5028) granting an increase of pension to James Winspear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5029) granting a pension to Louis Leith—to the Committee on Pensions.

Also, a bill (H. R. 5030) granting a pension to William H. Mount—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5031) granting a pension to Julia Burke—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 5032) for the relief of James G. Field, surgeon in the United States Navy—to the Committee on Naval Affairs.

By Mr. SHERMAN: A bill (H. R. 5033) granting an increase of pension to Rowland J. Roberts—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 5034) for the relief of Samuel B. Bootes—to the Committee on War Claims.

By Mr. SLEMP: A bill (H. R. 5035) for the relief of the heirs of Henry Sinon, deceased—to the Committee on War Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 5036) for the relief of the trustees of the Baptist Church at Columbia, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 5037) granting an increase of pension to R. H. Stillwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5038) granting an increase of pension to William H. Zachary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5039) granting an increase of pension to Roden B. Swain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5040) granting an increase of pension to Francis Marion Hatter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5041) granting an increase of pension to John R. Kenney—to the Committee on Invalid Pensions.

By Mr. SIBLEY: A bill (H. R. 5042) granting an increase of pension to James B. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5043) granting a pension to William H. Harrison—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: A bill (H. R. 5044) granting an increase of pension to Joseph L. Croskrey—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 5045) granting an increase of pension to Albert S. Elmore—to the Committee on Pensions.

By Mr. WADE: A bill (H. R. 5046) granting an increase of pension to Michael Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5047) granting an increase of pension to Benton D. Bitner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5048) granting an increase of pension to John M. Seydel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5049) granting an increase of pension to Rebecca Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5050) granting a pension to G. J. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5051) granting a pension to Elizabeth M. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5052) granting an honorable discharge to Eugene H. Ely—to the Committee on Military Affairs.

By Mr. WARNOCK: A bill (H. R. 5053) to correct the military record of Jacob Schunk—to the Committee on Military Affairs.

Also, a bill (H. R. 5054) granting an increase of pension to De Witt C. Carpenter—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5055) granting an increase of pension to Woodson R. Daniel—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTLETT: Resolution of Agricultural Society of Spalding County, Ga., asking for legislation to prevent the spread of the boll weevil—to the Committee on Agriculture.

Also, memorial of committees of city council, Cotton Exchange, Board of Trade, and Chamber of Commerce of Savannah, Ga.,

asking an appropriation for deepening the harbor at Savannah, Ga.—to the Committee on Rivers and Harbors.

By Mr. BRUNDIDGE: Papers to accompany bill granting increase of pension to William Johnson—to the Committee on Invalid Pensions.

By Mr. BURKETT: Papers to accompany bill to pension William McBrien—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Victor Vifquain—to the Committee on Invalid Pensions.

Also, resolution of the board of directors of the Nebraska Lumber Dealers' Association, favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: Petition of John Edwards, of Dekalb County, Ala., praying reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CANNON: Memorial of business men of Ogden, Utah, praying for legislation to correct unjust discrimination in railroad freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of W. L. Grosse and others, of Cissna Park, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. F. Austin & Son, of Georgetown, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the board of directors of the Commercial Club, of Indianapolis, Ind., praying for legislation to correct unjust discriminations in freight rates—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the insurance commissioner of Illinois, asking legislation for the suppression of fraudulent insurance companies—to the Committee on the Judiciary.

By Mr. CASSINGHAM: Papers to accompany bill (H. R. 2051) granting increase of pension to Joseph Jackson—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of Local Union No. 132, Brooklyn, N. Y., of Cigar Makers' International Union, protesting against passage of Cuban reciprocity bill—to the Committee on Ways and Means.

Also, resolution of the executive committee of the National German-American Alliance, against the passage of the so-called Hepburn bill in relation to interstate liquor traffic—to the Committee on the Judiciary.

Also, resolution of select common council of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. GRAFF: Petition of business men of Delavan, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GRIFFITH: Papers to accompany bill to pension Rachel A. Woodmansee—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase the pension of William M. Neal—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Papers to accompany bill to increase pension of Jason H. Masterson—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Papers to accompany bill to pension Henry E. Buckingham—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Emily Conklin—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Edward T. Miller—to the Committee on Invalid Pensions.

Also, Senate Report No. 439; Mr. GALLINGER, from Committee on Naval Affairs, relative to the appointment of Allen V. Reed—to the Committee on Naval Affairs.

By Mr. HITT: Petition of R. E. Bowles and 14 other business men of Creston, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. KETCHAM: Resolution of the R. D. Lathrop Post, No. 138, Grand Army of the Republic, of Hudson, Department of New York, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KNAPP: Papers to accompany bill granting increase of pension to C. E. Mink—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance Union of Mexico, N. Y., praying for the enactment of legislation prohibiting polygamy—to the Committee on the Judiciary.

By Mr. LITTAUER: Papers to accompany bill for the relief of Daniel Mosher—to the Committee on Military Affairs.

By Mr. MCCREARY of Pennsylvania: Resolutions of the Philadelphia Produce Exchange, Pennsylvania Shoe Manufacturers' Association, Trades League of Philadelphia, Travelers' Protective Association of Philadelphia, select and common councils of Philadelphia, and Commercial Exchange of Philadelphia, relative to a

35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. MACON: Papers to accompany bill to pension William Y. M. Wilkerson—to the Committee on Invalid Pensions.

By Mr. REEDER: Resolution of Baxter Post, No. 123, Grand Army of the Republic, Baxter Springs, Kans., in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RIXEY: Papers to accompany bill to make Alexandria, Va., a port of immediate transportation—to the Committee on Ways and Means.

By Mr. ROBINSON of Indiana: Petition of Cigar Makers' Union No. 37, of Fort Wayne, Ind., protesting against passage of the Cuban reciprocity bill—to the Committee on Ways and Means.

By Mr. RYAN: Papers to accompany H. R. 4661, for the relief of John Brill—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Petition of Rosell Austin and others, of Frankfort, N. Y., praying for the enactment of legislation prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill to remove charge of desertion from the record of the late J. W. Culver—to the Committee on Military Affairs.

By Mr. SPALDING: Petition of merchants of Grafton, N. Dak., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Commercial Club, of Fargo, N. Dak., favoring the appointment of a permanent tariff commission—to the Committee on Ways and Means.

By Mr. THOMAS of Iowa: Papers to accompany bill granting an increase of pension to Joseph L. Croskrey—to the Committee on Invalid Pensions.

By Mr. WADE: Resolution of the Davenport, Iowa, Turngemeinde, protesting against the passage of the Hepburn bill, restricting interstate liquor traffic—to the Committee on the Judiciary.

By Mr. WRIGHT: Petition of Douglas Wilson, of Towanda, Pa., claiming pay for labor as ambulance driver and hostler during the war of the rebellion—to the Committee on War Claims.

By Mr. WYNN: Papers to accompany bill (H. R. 2862) granting an increase of pension to Henrietta A. Pryce—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, November 25, 1903.

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

NAMING A PRESIDING OFFICER.

The Secretary read the following communication:

PRESIDENT PRO TEMPORE, UNITED STATES SENATE,
November 25, 1903.

To the honorable Senate of the United States:

I hereby appoint JOHN KEAN, Senator from New Jersey, to perform the duties of the Chair during my absence.

WM. P. FRYE,
President pro tempore.

Mr. KEAN thereupon took the chair as Presiding Officer, and directed the Secretary to read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BEVERIDGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDING OFFICER. The Journal will stand approved, without objection.

GEORGE S. THEBO, JR.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of George S. Thebo, jr., executor of George S. Thebo, deceased, v. The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Felicity*, William Story, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court